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नई दिल्ली, जून 9—जून 15, 2019, शनिवार/ज्येष्ठ 19—ज्येष्ठ 25, 1941

No. 24]

NEW DELHI, JUNE 9—JUNE 15, 2019, SATURDAY/JYAISTHA 19—JYAISTHA—25, 1941

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 3 मई, 2019

का.आ. 941.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, यह घोषणा करती है कि उक्त अधिनियम की धारा 10 की उप-धारा (1) के खण्ड (ग) के उप-खण्ड (i) के उपबंध भारतीय स्टेट बैंक पर लागू नहीं होंगे, जहां तक इसका संबंध भारतीय स्टेट बैंक के अध्यक्ष, श्री रजनीश कुमार को दिनांक 6.10.2020 तक की अवधि के लिए या अगले आदेशों तक, जो भी पहले हो, ईसीजीसी लिमिटेड के बोर्ड में स्वतंत्र निदेशक के पद पर नामित करने से है।

[फा. सं. 13/23/2016-बीओ-1]

संजय कुमार मिश्र, अवर सचिव

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 3rd May, 2019

S.O. 941.—In exercise of the powers conferred by sub-section (1) of section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declare that the provisions of sub-clause (i) of clause (c) of sub-section (1) of section 10 of the said Act shall not apply to State Bank of

India in relation to the nomination of Shri Rajnish Kumar, Chairman, State Bank of India on the Board of ECGC Limited as an independent Director, for a period up to 6.10.2020 or until further orders, whichever is earlier.

[F. No. 13/23/2016-BO-I]

SANJAY KUMAR MISHRA, Under Secy.

नई दिल्ली, 9 मई, 2019

का.आ. 942.—सक्षम प्राधिकारी द्वारा त्यागपत्र स्वीकार किए जाने के फलस्वरूप, डॉ. नचिकेत मधुसूदन मोर ने दिनांक 13.10.2018 से भारतीय रिजर्व बैंक के पूर्वी क्षेत्र स्थानीय बोर्ड से सदस्य के रूप में अपना कार्य-भार त्याग दिया है।

[फा. सं. 1/4/2012-बीओ-I]

संजय कुमार मिश्र, अवर सचिव

New Delhi, the 9th May, 2019

S.O. 942.—Consequent upon acceptance of resignation by the competent authority, Dr Nachiket Madhusudan Mor has relinquished his office as a member from the Eastern Area Local Board of the Reserve Bank of India, with effect from 13.10.2018.

[F. No. 1/4/2012-BO-I]

SANJAY KUMAR MISHRA, Under Secy.

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 7 जून, 2019

का.आ. 943.—केंद्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम संख्या 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केरल राज्य सरकार, गृह (एम) विभाग की अधिसूचना जी. ओ. (एमएस.) सं. 156/2018/गृह/तिरुवनन्तपुरम दिनांक 6 अक्टूबर, 2018 के माध्यम से प्राप्त सहमति से भारतपूजा नदी के तल से मिलिट्री ग्रेड की माइनों की बरामदगी के संबंध में पुलिस थाना कुट्टीपुरम में दर्ज अपराध सं. 5/2018 में शामिल अपराधों तथा इससे संबद्ध मामलों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त केरल राज्य में करती है।

[फा. सं. 228/57/2018-एवीडी-II]

एस. पी. आर. त्रिपाठी, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 7th June, 2019

S.O. 943.—In exercise of the powers conferred by sub-section (1) of section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of State Government of Kerala Home (M) Department issued vide Notification G.O. (Ms.) No. 156/2018/Home dated Thiruvananthapuram, 6th October, 2018 hereby extends the powers and jurisdiction to the members of the Delhi Special Police Establishment in the Whole of the State of Kerala for the Investigation of offences involved in Crime No. 5/2018 of Kuttippuram Police Station registered in connection with the recovery of military grade mines from the riverbed of Bharathappuzha and matters related thereto.

[F. No. 228/57/2018-AVD-II]

S. P. R. TRIPATHI, Under Secy.

वाणिज्य एवं उद्योग मंत्रालय**(वाणिज्य विभाग)**

नई दिल्ली, 3 जून, 2019

का.आ. 944.—केन्द्रीय सरकार, निर्यात (गुणवत्ता नियंत्रण एवं निरीक्षण) नियम, 1964 के नियम 12, के उपनियम (2) के साथ पठित, निर्यात (गुणवत्ता नियंत्रण एवं निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स थेरापीयूटिक्स केमिकल रिसर्च कॉर्पोरेशन, डी. नं. 25-12-39, द्वितीय तल, गोदावरी स्ट्रीट, एस बी आई टाउन शाखा के सामने, विशाखापत्तनम – 530001, जिसे एतदपश्चात् उक्त एजेंसी कहा जायेगा, को इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए भारत सरकार के वाणिज्य मंत्रालय की शासकीय राजपत्र भाग II, खण्ड 3, उपखण्ड (ii), में दिनांक 20 दिसम्बर, 1965 की अधिसूचना सं० का.आ. 3975 के तहत प्रकाशित अधिसूचना में उपाबद्ध अनुसूचियों में विनिर्दिष्ट खनिज और अयस्क समूह-I, क्रम सं.1 एवं 2 पर निर्दिष्ट मैंगनीज अयस्क, मैंगनीज डाइऑक्साइड को छोड़कर तथा लौह अयस्क को निर्यात से पूर्व निम्नलिखित शर्तों के अधीन विशाखापत्तनम एवं गंगावरम पत्तन में निरीक्षण करने के लिए निम्नलिखित शर्तों के अधीन एक अभिकरण के रूप में मान्यता देती है, अर्थात् :

- (i) यह अभिकरण, खनिज और अयस्क समूह-I के निर्यात (निरीक्षण) नियम, 1965 तथा खनिज और अयस्क समूह-II के निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अधीन निरीक्षण की पद्धति की जाँच करने के लिये निर्यात निरीक्षण परिषद् द्वारा निमित्त नामनिर्दिष्ट अधिकारियों को पर्याप्त सुविधाएं देगी; और
- (ii) यह अभिकरण, इस अधिसूचना के अधीन अपने कार्यों के पालन में निदेशक (निरीक्षण और गुणवत्ता नियंत्रण) निर्यात निरीक्षण परिषद् द्वारा समय-समय पर, लिखित रूप में, दिए गए ऐसे निर्देशों से आबद्ध होंगी।

[फा. सं. के-16014/4/2019-निर्यात निरीक्षण]

संतोष कुमार सारंगी, संयुक्त सचिव (निर्यात निरीक्षण विभाग)

MINISTRY OF COMMERCE AND INDUSTRY**(Department of Commerce)**

New Delhi, the 3rd June, 2019

S.O. 944.—In exercise of the powers conferred by the sub-section (1) of section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), read with sub-rule (2) of rule 12 of the Export (Quality Control and Inspection) Rules, 1964, the Central Government hereby recognises M/s Therapeutics Chemical Research Corporation, D.No. 25-12-39, 2nd Floor, Godevari Street, Opp SBI Town Branch, Visakhapatnam – 530001, as an agency (herein after referred to as the said agency) for a period of three years from the date of publication of this notification, for the inspection of Manganese Ore, excluding manganese dioxide and Iron Ore specified in the Schedule under the heading Minerals and Ores – Group I at serial numbers 1 and 2 annexed to the notification of the Government of India in the Ministry of Commerce, vide number S.O. 3975 dated the 20th December, 1965, prior to export of the said Minerals and Ores at Visakhapatnam and Gangavaram ports, subject to the following conditions, namely: -

- (i) the said agency shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to carry out the inspection specified under rule 4 of the Export of Minerals and Ores - Group I (Inspection) Rules, 1965;
- (ii) the said agency shall, in performance of its function as specified in this notification shall be bound by such directions, as the Director (Inspection and Quality Control), Export Inspection Council, may give in writing from time to time.

[F. No. K-16014/4/2019-Export Inspection]

SANTOSH KUMAR SARANGI, Jt. Secy. (Export Inspection Division)

मानव संसाधन विकास मंत्रालय**(उच्चतर शिक्षा विभाग)****(राजभाषा प्रभाग)**

नई दिल्ली, 27 मई, 2019

का.आ. 945.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम 4 के अनुसरण में, मानव संसाधन विकास मंत्रालय (उच्चतर शिक्षा विभाग) के अंतर्गत जवाहरलाल नेहरू विश्वविद्यालय, नई दिल्ली को ऐसे कार्यालय के रूप में, जिसके 80 प्रतिशत से अधिक कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[फा. सं.11011-2/2018-रा.भा.ए.]

संजय कुमार सिन्हा, संयुक्त सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT**(Department of Higher Education)****(O.L. UNIT)**

New Delhi, the 27th May, 2019

S.O. 945.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notify the Jawaharlal Nehru University, New Delhi under the Ministry of Human Resource Development, (Department of Higher Education) as an office, whose more than 80% members of the staff have acquired working knowledge of Hindi.

[F. No.11011-2/2018-O.L.A.]

SANJAY KUMAR SINHA, Jt. Secy.

नई दिल्ली, 27 मई, 2019

का.आ. 946.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम 4 के अनुसरण में, मानव संसाधन विकास मंत्रालय (स्कूल शिक्षा एवं साक्षरता विभाग) के अंतर्गत निम्नलिखित कार्यालयों को, ऐसे कार्यालयों के रूप में, जिनके 80 प्रतिशत से अधिक कर्मचारी-वृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है:-

1.	केंद्रीय विद्यालय, पट्टम, तिरुवनन्तपुरम - 695004
2.	केंद्रीय विद्यालय, रेल पहिया कारखाना, यलहंका, बैंगलुरु - 560064
3.	केंद्रीय विद्यालय, हट्टी, हट्टी गोल्ड माइन्स कंपनी लि., लिंगसुगुर, जिला- रायचूर, कर्नाटक- 584115
4.	केंद्रीय विद्यालय, टी.बी. डाम, होस्पेट, जिला- बेल्लारी, कर्नाटक - 583225
5.	केंद्रीय विद्यालय, मथाना, मार्फत सरकारी प्राथमिक विद्यालय, सैक्टर-4, शहरी सम्पदा, जिला कुरुक्षेत्र, हरियाणा-136118
6.	केंद्रीय विद्यालय, सुकना, पोस्ट – सुकना, जिला- दार्जिलिंग, पश्चिम बंगाल -734009
7.	केंद्रीय विद्यालय, तारकेश्वर, म्युनिसिपैलिटी गेस्ट हाउस, तारकेश्वर, हुगली, पश्चिम बंगाल- 712410
8.	केंद्रीय विद्यालय, एन्टीपीसी फरक्का, पोस्ट –पुवारन, जिला-मालदा, पश्चिम बंगाल- 732215
9.	केंद्रीय विद्यालय, नं.-1, साल्ट लेक, ई बी ब्लॉक, लाबोनी, सैक्टर-1, कोलकाता, पश्चिम बंगाल- 700064
10.	केंद्रीय विद्यालय, कृष्णनगर (सीमा सुरक्षा बल) पोस्ट- कृष्णनगर, जिला नादिया, पश्चिम बंगाल-741101
11.	केंद्रीय विद्यालय, आयुध निर्माणी, दमदम, जेसोर रोड, दमदम, कोलकाता, पश्चिम बंगाल-700028

12.	केंद्रीय विद्यालय, कोशीपुर, 4 दमदम रोड, 7 टैंक इस्टेट, कोलकाता, पश्चिम बंगाल-700002
13.	केंद्रीय विद्यालय, संतरागाची, पोस्ट- जी आई पी कॉलोनी, जिला- हावड़ा, पश्चिम बंगाल- 711112
14.	केंद्रीय विद्यालय, अलीपुरद्वार जंक्सन, पोस्ट – अलीपुरद्वार, जिला- अलीपुरद्वार, पश्चिम बंगाल-736123
15.	केंद्रीय विद्यालय, बागडोगरा (वायुसेना), पोस्ट- बागडोगरा एयरपोर्ट, जिला-दार्जिलिंग, पश्चिम बंगाल- 734421
16.	केंद्रीय विद्यालय, पानागढ़, जिला-बर्दवान, पश्चिम बंगाल- 713420
17.	केंद्रीय विद्यालय, कमान अस्पताल, अलीपुर, कोलकाता, पश्चिम बंगाल- 700027
18.	केंद्रीय विद्यालय, नं.-1 , कांचरापाड़ा, डिफेंस सैक्टर, पोस्ट- कांपा, जिला- उत्तर 24 परगना, पश्चिम बंगाल-743193
19.	केंद्रीय विद्यालय, बोलपुर, मार्फत, बिस्ती सदन प्रांतिक टाउनशिप, पोस्ट, शांति निकेतन, जिला-बीरभूम, पश्चिम बंगाल-731235
20.	केंद्रीय विद्यालय, नं.-2 , कांचरापाड़ा, पोस्ट- कांचरापाड़ा, जिला- उत्तर 24 परगना, पश्चिम बंगाल- 743145
21.	केंद्रीय विद्यालय, सीयूजे, राया सुचानी, जिला-सांबा, जम्मू व कश्मीर-181143
22.	केंद्रीय विद्यालय संगठन, क्षेत्रीय कार्यालय, आई आई टी कैपस, अडैयार, चेन्नै-600036
23.	केंद्रीय विद्यालय, कोनम (पी ओ), नागरकोइल - 629004
24.	केंद्रीय विद्यालय, पूर्वी वायु कमांड, अपर शिलांग, पोस्ट- नोंगलियर, ईस्ट खासी हिल्स, शिलांग, मेघालय- 793009
25.	केंद्रीय विद्यालय, एन आई टी अगरतला, पोस्ट- एनआईटी अगरतला, जिला- पश्चिम त्रिपुरा, त्रिपुरा- 799046
26.	केंद्रीय विद्यालय, मिजोरम विश्वविद्यालय, तंहिल, आइज़ोल, मिज़ोरम-796004
27.	केंद्रीय विद्यालय, खूंटी, आई टी आई, टूट टोली, एरंडा, पोस्ट ऑफिस- बिरहु, खूंटी-835210
28.	केंद्रीय विद्यालय, चतरा, पोस्ट –सिमरिया, जिला-चतरा, झारखंड- 825103
29.	केंद्रीय विद्यालय, बरकाकाना, पोस्ट-बरकाकाना, जिला-रामगढ़- झारखंड- 829102
30.	केंद्रीय विद्यालय, गिरिडीह, मॉडल विद्यालय, परियाना, पोस्ट-रानी-खवा वाया पचम्भा, जिला-गिरिडीह- झारखंड- 815316
31.	केंद्रीय विद्यालय, दुमका, ट्राइबल, यूथ सेंटर, आई टी आई के पास, एस पी कॉलेज रोड, पोस्ट- दुमका, जिला- दुमका, झारखंड- 814101
32.	केंद्रीय विद्यालय, लोहरदगा, उच्च माध्यमिक बालिका विद्यालय, इरगांव रेलवे स्टेशन के पास पोस्ट लोहरदगा, झारखंड - 835302
33.	केंद्रीय विद्यालय, कराईक्कल, कुमरन कोइल स्ट्रीट, पुदुचेरी, कराईक्कल – 609604
34.	केंद्रीय विद्यालय, गोल्डन रॉक (एस आर), तिरुचिरापल्ली – 620004
35.	केंद्रीय विद्यालय, तिरुवण्णामलै, कणनथमपूण्डी, तिरुवण्णामलै, तमिलनाडु- 606603
36.	केंद्रीय विद्यालय, एन एल सी नेवेली, ब्लॉक-3, नेवेली टाउनशिप, कडलूर, तमिलनाडु-607803
37.	केंद्रीय विद्यालय, नेवल बेस, विजयनारायणम, तिरुनेलवेली, तमिलनाडु-627119
38.	केंद्रीय विद्यालय, धर्मपुरी, पल्लकोलै ग्राम, मोरप्पुर मेन रोड, सेट्टिकारे पोस्ट, धर्मपुरी, तमिलनाडु-636704
39.	केंद्रीय विद्यालय, डिंडीगुल, गांधीग्राम, जी आर आई कैपस, तमिलनाडु-624302

40.	केंद्रीय विद्यालय, विरूदुनगर, गांधीग्राम, गुणमैलनगर, वरलोटी, विरूदुनगर-626109
41.	केंद्रीय विद्यालय, पेरंबलूर, मदनगोपालपुरम, पेरंबलूर-621212
42.	केंद्रीय विद्यालय, सीयूटीएन, तिरुवारूर, तमिलनाडु विश्वविद्यालय परिसर, नागाकुडी, तिरुवारूर, तमिलनाडु-610005
43.	केंद्रीय विद्यालय, शिवगंगै, श्रीनिवासा नगर, पणनगाडी रोड, शिवगंगा-630561
44.	केंद्रीय विद्यालय नं.-1, नरिमेडु, मदुरै-625002
45.	केंद्रीय विद्यालय नं.-1, कलपक्कम, डीआई टाउनशिप, कलपक्कम, कांचीपुरम-603102
46.	केंद्रीय विद्यालय, अशोकनगर, डॉ. नाटेसन सालइ, अशोकनगर, चेन्नै-600083
47.	केंद्रीय विद्यालय, अण्णानगर, सीपीडब्ल्यूडी क्वार्टर, तिरुमंगलम, चेन्नै-600040
48.	केंद्रीय विद्यालय, ओ सी एफ आवडी, चेन्नै-600054
49.	केंद्रीय विद्यालय, नं.-1, आई एन एस राजाली, अरक्कोणम, तमिलनाडु-631006
50.	केंद्रीय विद्यालय, डीजीक्यूए, पलवंतांगल, चेन्नै-600114
51.	केंद्रीय विद्यालय, माहि, चेंब्रा पी.ओ, पाराल, पुदुच्चेरी – 670671
52.	केंद्रीय विद्यालय नं.-2, कलपक्कम, डीआई टाउनशिप, कलपक्कम, कांचीपुरम-603102
53.	केंद्रीय विद्यालय नं.-1, पुदुच्चेरी, जिपमर परिसर, पुदुच्चेरी- 6
54.	केंद्रीय विद्यालय, सीएलआरआई, सरदार पटेल रोड, अडयार, चेन्नै-600020
55.	केंद्रीय विद्यालय, एएफएसडी, आवडी, चेन्नै-600055
56.	केंद्रीय विद्यालय नं.-1, पोर्ट ब्लेयर, डी ए जी मोहल्ला, टैगोर रोड, अबेरडीन बाजार, पोर्ट ब्लेयर, अंडमान व निकोबार द्वीप समूह-744101
57.	केंद्रीय विद्यालय, रामेश्वरम, काट्टूपिल्लयारकोइल, रामेश्वरम-623526
58.	केंद्रीय विद्यालय, आई आई टी, आई आई टी कैपस, चेन्नै-600036
59.	केंद्रीय विद्यालय, सी आई एस एफ, तक्कोलम, आर टी सी (ए), वेल्लोर जिला, तमिलनाडु-631152
60.	केंद्रीय विद्यालय, गिल नगर, षण्मुग्नार, सालई, चूलैमेडू, चेन्नै-600094
61.	केंद्रीय विद्यालय, एच वी एफ, आवडी, भारी वाहन निर्माणी, आवडी, चेन्नै-600054
62.	केंद्रीय विद्यालय, वायु सेना केंद्र, तंजावूर, मेलावस्ताचावडी, पुदुकोट्टै रोड, तंजावूर-613005
63.	केंद्रीय विद्यालय, नं.-2, मदुरै, तिरुपरंकुण्ड्रम, अवनियापुरम, मदुरै-625051
64.	केंद्रीय विद्यालय, जामई, आदिम जाति कल्याण विभाग, शासकीय उच्चतर माध्यमिक आदर्श विद्यालय, उमरिया फदाली, जुन्नादेव, जिला- छिंदवाडा, म.प्र.- 480551
65.	केंद्रीय विद्यालय, हट्टा, नवीन आदर्श विद्यालय भवन, जवाहर नवोदय विद्यालय के समीप, हट्टा, दमोह 470775
66.	केंद्रीय विद्यालय, राजनादगांव, पेंद्री, राजनादगांव-491441
67.	केंद्रीय विद्यालय, नया रायपुर, रैनबसेरा, राखी थाना के पास, सैक्टर-25, नया रायपुर- 492015
68.	केंद्रीय विद्यालय, बीजापुर, प्रथम तल, डी ए वी मुख्यमंत्री पब्लिक स्कूल, मंझिगुडा, बीजापुर, छत्तीसगढ़- 494444
69.	केंद्रीय विद्यालय, सुकमा, एजुकेशनल हब, कुम्हाररास, जिला सुकमा, छत्तीसगढ़- 494111
70.	केंद्रीय विद्यालय, झगराखंड, एसईसीएल हसदेव क्षेत्र, पोस्ट-नॉर्थ झगराखण्ड, जिला-कोरिया, छत्तीसगढ़- 497446

71.	केंद्रीय विद्यालय एम.सी.एफ., लालगंज, रायबरेली, प्रशान्ति परिसर, आधुनिक रेल डिब्बा कारखाना, लालगंज, रायबरेली (उ.प्र.)- 229206
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[फा. सं. 11011-2/2018-रा.भा.ए.]

संजय कुमार सिन्हा, संयुक्त सचिव

New Delhi, the 27th May, 2019

S.O. 946.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices under the Ministry of Human Resource Development, (Department of School Education & Literacy) as office, whose more than 80% members of the staff have acquired working knowledge of Hindi:-

1.	KENDRIYA VIDYALAYA, PATTOM, THIRUVANANTHAPURAM- 695004
2.	KENDRIYA VIDYALAYA, RWF, YELHANKA, BENGALURU- 560064
3.	KENDRIYA VIDYALAYA, HUTTI, HUTTI GOLD MINES CO LTD, LINGASUGUR, DISTT RAICHUR, KARNATAKA- 584115
4.	KENDRIYA VIDYALAYA, T.B. DAM, HOSPET, DISTT- BELLARY, KARNATAKA-583225
5.	KENDRIYA VIDYALAYA, MATHANA, C/O GOVT, PRIMARY SCHOOL, SECTOR-4, URBAN ESTATE, DISTT, KURUKSHETRA, HARYANA-136118
6.	KENDRIYA VIDYALAYA, SUKNA, POST, SUKNA, DISTT- DARJEELING, WEST BENGAL- 734009
7.	KENDRIYA VIDYALAYA, TARKESHWAR MUNICIPALITY GUEST HOUSE, TARKESHWAR, HOOGLY, WEST BENGAL-712410
8.	KENDRIYA VIDYALAYA, NTPC FARAKKA, PO- PUBARAN, DISTT-MALDA, WEST BENGAL- 732215
9.	KENDRIYA VIDYALAYA NO.-1, SALT LAKE, EB BLOCK, LABONY, SECTOR-1, KOLKATA WEST BENGAL-700064
10.	KENDRIYA VIDYALAYA, KRISHNANAGAR (BSF), POST- KRISHNANAGAR, DISTT- NADIA, WEST BENGAL-741101
11.	KENDRIYA VIDYALAYA, ORDNANCE FACTORY DUMDUM, JESSORE ROAD, DUMDUM, KOLKATA, WEST BENGAL-700028
12.	KENDRIYA VIDYALAYA, COSSIPORE 4, DUMDUM ROAD, 7 TANK ESTATE, KOLKATA, WEST BENGAL- 700002
13.	KENDRIYA VIDYALAYA, SANTRAGACHI, POST GIP COLONY, WEST BENGAL-711112
14.	KENDRIYA VIDYALAYA, ALIPURDWAR, JUNCTION, POST- ALIPURDWAR, DISTT- ALIPURDWAR, WEST BENGAL-736123
15.	KENDRIYA VIDYALAYA, BAGDOGRA (AFS) P.O.- BAGDOGRA AIRPORT, DISTT- DARJEELING, WEST BENGAL-734421
16.	KENDRIYA VIDYALAYA, PANAGARH, DISTT-BURDWAN, WEST BENGAL-713420
17.	KENDRIYA VIDYALAYA, COMMAND HOSPITAL, ALIPUR, KOLKATA, WEST BENGAL-700027
18.	KENDRIYA VIDYALAYA NO-1 , KANCHRAPADA, DEFENCE SECTOR, P.O. KAMPA, DISTT- NORTH 24 PARGANAS, WEST BENGAL-743193

19.	KENDRIYA VIDYALAYA, BOLPUR, C/O BITTI SADAN PRANTIK TOWNSHIP, P.O.-SHANTINIKETAN, DISTT-BIRBHUM, WEST BENGAL-731235
20.	KENDRIYA VIDYALAYA NO-2, KANCHRAPADA, PO KANCHRAPADA, DISTT- NORTH 24 PARGANAS, WEST BENGAL-743145
21.	KENDRIYA VIDYALAYA, C.U.J. RAHYA SUCHANI, DISTT- SAMBA, J&K-181143
22.	KENDRIYA VIDYALAYA SANGATHAN, REGIONAL OFFICE, CHENNAI, IIT CAMPUS, ADYAR-600036
23.	KENDRIYA VIDYALAYA, KONAM (PO), NAGARCOIL-629004
24.	KENDRIYA VIDYALAYA, EAC UPPER SHILLONG, POST- NONGLYER, EAST KHASI HILLS, SHILLONG, MEGHALAYA-793009
25.	KENDRIYA VIDYALAYA, NIT, AGARTALA, DISTT- WEST TRIPURA, TRIPURA-799046
26.	KENDRIYA VIDYALAYA, MIZORAM UNIVERSITY, TANHRIL, AIZWAL, MIZORAM-796004
27.	KENDRIYA VIDYALAYA, KHUNTI, ITI TUT TOLI, ERANDA, P.O.-BIRHU, KHUNTI- 835210
28.	KENDRIYA VIDYALAYA, CHATRA, POST-SIMARIYA, DISTT.-CHATRA, JHARKHAND-825103
29.	KENDRIYA VIDYALAYA, BARKAKANA , POST-BARKAKANA, DISTT.- RAMGARH, JHARKHAND- 829102
30.	KENDRIYA VIDYALAYA, GIRIDIH, MODEL VIDYALAYA, PARIYANA, POST-RANIKHAWA VIA PACHAMBHA, DISTT.- GIRIDIH, JHARKHAND- 815316
31.	KENDRIYA VIDYALAYA, DUMKA, TRIBAL YOUTH CENTRE, NEAR ITI, SP COLLEGE ROAD, POST-DUMKA, JHARKHAND-814101
32.	KENDRIYA VIDYALAYA, LOHARDAGA, GIRLS HIGH SCHOOL, NEAR ERGOUN RAILWAY STATION, POST-LOHARDAGA, JHARKHAND- 835302
33.	KENDRIYA VIDYALAYA, KARAIKAL, KUMARAN KOVIL STREET, KARAIKAL, DISTT.- PUDUCHERRY, KARAIKAL - 609604
34.	KENDRIYA VIDYALAYA, GOLDEN ROCK(SR), TIRUCHIRAPALLI - 620004
35.	KENDRIYA VIDYALAYA, THIRUVANNAMALAI, KANANATHAMPOONDI, THIRUVANNAMALAI, T.N.-606603
36.	KENDRIYA VIDYALAYA, NLC NEYVELI, BLOCK-3, CUDDALORE, TAMILNADU-607803
37.	KENDRIYA VIDYALAYA, NAVAL BASE, VIJAYANARAYANAM, TIRUNELVELI, TAMILNADU - 627119
38.	KENDRIYA VIDYALAYA, DHARMAPURI, PALLAKOLLAI VILLAGE, MORAPPUR MAIN ROAD , SETTIKARAI(P.O.), DHARMAPURI, TAMILNADU – 636704
39.	KENDRIYA VIDYALAYA, DINDIGUL, GANDHIGRAM, GRI CAMPUS, GANDHIGRAM, TAMILNADU - 624302
40.	KENDRIYA VIDYALAYA, VIRUDHUNAGAR, GUNAMALAINAGAR, VARALOTTI, VIRUDHUNAGAR- 626109
41.	KENDRIYA VIDYALAYA, PERAMBALUR, MADHANGOPALPURAM, PERAMBALUR-621212
42.	KENDRIYA VIDYALAYA, CUTN, THIRUVARUR, CENTRAL UNIVERSITY OF TAMILNADU, RESIDENTIAL CAMPUS, NAGAKUDI, THIRUVARUR, TAMILNADU-610005

43.	KENDRIYA VIDYALAYA, SHIVGANAI, SRINIVASA NAGAR, PANANGARI ROAD, SHIVGANGA-630561
44.	KENDRIYA VIDYALAYA, NO.-1, NARIMEDU, MADURAI-625002
45.	KENDRIYA VIDYALAYA, NO.-1, KALPAKKAM, DAE TOWNSHIP, KALPAKKAM, KANCHIPURAM - 603102
46.	KENDRIYA VIDYALAYA, ASHOKNAGAR, DR. NATESAN SALAI, ASHOKNAGAR, CHENNAI-600083
47.	KENDRIYA VIDYALAYA, ANNANAGAR, CPWD QUARTERS, THIRUMANGALAM, CHENNAI-600040
48.	KENDRIYA VIDYALAYA, OCF, AVADI, CHENNAI-600054
49.	KENDRIYA VIDYALAYA, NO.-1, INS RAJALI, ARAKKONAM, TAMILNADU - 631006
50.	KENDRIYA VIDYALAYA, DGQA, PALAVANTHANGAL, CHENNAI - 600114
51.	KENDRIYA VIDYALAYA, MAHE, CHEMBRA PO, PARAL, PUDUCHERRY- 670671
52.	KENDRIYA VIDYALAYA, NO.-2, KALPAKKAM, DAE TOWNSHIP, KALPAKKAM, KANCHIPURAM - 603102
53.	KENDRIYA VIDYALAYA, NO.-1, PUDUCHERRY, JIPMER CAMPUS, PUDUCHERRY - 6
54.	KENDRIYA VIDYALAYA, CLRI, SARDAR PATEL ROAD, ADYAR, CHENNAI-600020
55.	KENDRIYA VIDYALAYA, AFS AVADI, CHENNAI-600055
56.	KENDRIYA VIDYALAYA, NO.-1, PORT BLAIR, DAG COLONY, TAGORE ROAD, ABERDEEN BAZAR, PORT BLAIR, ANDEMAN & NICOBAR ISLANDS-744101
57.	KENDRIYA VIDYALAYA, RAMESWARAM, KATTUPILLAYARKOIL, RAMESWARAM – 623526
58.	KENDRIYA VIDYALAYA, IIT, IIT CAMPUS, CHENNAI-600036
59.	KENDRIYA VIDYALAYA, CISF, THAKKOLAM, RTC(A), VELLORE DISTT., TAMILNADU-631152
60.	KENDRIYA VIDYALAYA, GILL NAGAR, SHANMUGANAR SALAL, CHOOLAIMEDU, CHENNAI-600094
61.	KENDRIYA VIDYALAYA, HVF AVADI, AVADI, CHENNAI – 600054
62.	KENDRIYA VIDYALAYA, AIR FORCE STATION THANJAVUR, MELAVASTHACHAVADY, PUDDUKOTTAI ROAD, THANJAVUR-613005
63.	KENDRIYA VIDYALAYA, NO.-2, MADURAI, TIRUPARANKUNDRAM, AVANIYAPURAM MADURAI- 625051
64.	KENDRIYA VIDYALAYA, JAMAI, TRIBAL WELFARE DEPARTMENT, GOVT. HIGHER SECONDARY MODEL SCHOOL, UMARIYA FADALI, JUNARDEO DISTT. CHHINDWARA, M.P.-480551
65.	KENDRIYA VIDYALAYA, HATTA, NEW MODEL SCHOOL BUILDING, NEAR JNV, HATTA, DAMOH - 470775
66.	KENDRIYA VIDYALAYA, RAJNANDGAON, PENDRI, RAJNANDGAON – 491441
67.	KENDRIYA VIDYALAYA, NAYA RAIPUR, NIGHT SHELTER BUILDING, NEAR RAKHI P.S., NAYA RAIPUR, CHHATTISGARH -492015

68.	KENDRIYA VIDYALAYA, BIJAPUR, FIRST FLOOR, D.A.V. MUKHYAMANTRI PUBLIC SCHOOL MANJHIGUDA, BIJAPUR, CHHATTISGARH - 494444
69.	KENDRIYA VIDYALAYA, SUKMA, EDUCATIONAL HUB, KUMHAR RAS, DISTT.-SUKMA, CHHATTISGARH - 494111
70.	KENDRIYA VIDYALAYA, JHAGRAKHAND, S.E.C.L., HASDEO AREA, POST-NORTH JHAGRAKHAND, DISTT.- KOREA, CHHATTISGARH -497446
71.	KENDRIYA VIDYALAYA MCF, LALGANJ, RAEBARELI, PRASHANTI PARISAR, MODERN COACH FACTORY LALGANJ, RAEBARELI (U.P.) – 229206

[F. No. 11011-2/2018-O.L.A.]
SANJAY KUMAR SINHA, Jt. Secy.

विद्युत मंत्रालय

नई दिल्ली, 4 जून, 2019

का.आ. 947.—केंद्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में विद्युत मंत्रालय के प्रशासनिक नियंत्रणाधीन एनटीपीसी लिमिटेड के लारा सुपर थर्मल पावर प्रोजेक्ट, ग्राम छपोरा, पोस्ट पुसौर, जिला रायगढ़ (छत्तीसगढ़)-496440 जिसके 80 प्रतिशत कर्मचारीवृंद ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है।

[सं. 11011/9/2017-हिंदी]

राज पाल, आर्थिक सलाहकार

MINISTRY OF POWER

New Delhi, the 4th June, 2019

S.O. 947.—In pursuance of Sub Rule (4) of Rule 10 of the Official Languages (Use for Official Purpose of the Union) Rules, 1976, the Central Government hereby notify the Lara Super Thermal Power Project, Village-Chhapora, Post-Pussore, District-Raigarh (Chhattisgarh)-496440 of NTPC Ltd. under the administrative control of Ministry of Power, where 80% of the staff have acquired working knowledge of Hindi:

[No. 11011/9/2017-Hindi]

RAJ PAL, Economic Adviser

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 3 जून, 2019

का.आ. 948.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 धनबाद के पंचाट (संदर्भ संख्या: 2/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/422/1995-आई. आर. (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 3rd June, 2019

S.O. 948.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No.-1 Dhanbad (Ref. No. 2/1997) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/422/1995-IR(C-I)]

S. C. RAY, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No.1, DHANBAD**In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act. 1947.**Reference: No. 2/1997**

Employer in relation to the management of Govindpur Colliery M/S BCCL

AND**Their workman****Present :** Shri D.K.Singh, Presiding Officer**Appearances:**

For the Employers:- None

For the workman. :- Shri S.N.Goswami , Rep

State : Jharkhand.

Industry- Coal

Dated- 30/04/2019

AWARD

By order No. L-20012/422/1995-IR(C-I) dated 18/12/1996.— the central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub –section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal:

SCHEDULE

“Whether the demand of the Union for continuance of the service of Sh. Mehendra Bhuia, Miner/Loader till 15.08.2002 is legal and justified? If so, to what relief is the concerned workman entitled?”

2. After receipt of the reference, both parties were noticed. Workman appeared for certain dates but subsequently failed to take steps. The management has not appeared in this case. Lastly during the hearing of the case, Ld. Vice President of Sponsoring Union has informed that workman has not been interested in contesting the case. It is felt that the workman has lost his interest to resolve the matter. Hence “No dispute” award is passed. communicate.

D. K.SINGH, Presiding Officer

नई दिल्ली, 3 जून, 2019

का.आ. 949.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.1 धनबाद के पंचाट (संदर्भ संख्या: 34/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/318/1998-आई. आर. (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

New Delhi, the 3rd June, 2019

S.O. 949.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Dhanbad (Ref. No. 34 of 1999) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/318/1998-IR (C-I)]

S. C. RAY, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No.1, DHANBAD

In the matter of reference U/S 10(1) (d) (2A) of I.D.Act.1947

Ref. No. 34 of 1999

Employer in relation to the management of Dahibari Colliery of M/S BCCL

AND

Their workman

Present : Shri D.K.Singh, Presiding Officer

Appearances :

For the employers : None

For the Workman. : None

State :- Jharkhand

Industry : Coal

Dated 30/04/ 2019

AWARD

By order No. L-20012 /318 /1998/IR (C-I) dt. 22.02.1999, the Central Government in the Ministry of Labour has, in exercise of powers conferred by clause (d) of sub-section(1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Dahibari Colliery of M/S BCCL in dismissing Shri Badan Das, UG Loader w.e.f. 16.04.1997 is legal and justified? If not to what relief the concerned workman is entitled?”

2. After receipt of the reference, both parties were noticed and both parties appeared for certain dates, but subsequently both of them left appearing before this Tribunal. Thereafter again a notice was issued to the parties and one of the notices returned with endorsement “Not Known”. The Case is pending since long and workman is not appearing before the Tribunal. It appears that the workmen has lost his interest to resolve the matter. Hence “No Dispute” Award is passed. Communicate.

D. K. SINGH, Presiding Officer

नई दिल्ली, 3 जून, 2019

का.आ. 950.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1 धनबाद के पंचाट (संदर्भ संख्या: 63/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/638/1997-आई. आर. (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

New Delhi, the 3rd June, 2019

S.O. 950.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Dhanbad (Ref. No. 63 of 1998) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/638/1997-IR (C-I)]

S. C. RAY, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No.1, DHANBAD

In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act. 1947.

Reference: No. 63/1998

Employer in relation to the management of W.J. Area of M/S BCCL,

AND

Their workman

Present : Sri D.K.Singh, Presiding Officer.

Appearances:

For the Employers:- None

For the workman. :- Shri R.R.Ram, Rep

State : Jharkhand.

Industry : Coal

Dated : 29/04/2019

AWARD

By order No. L-20012/638/1997-IR(C-I) dated 14/08/1998, the central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Sudamdih Shoft Mine of M/S BCCL in not regularizing Sri Radha Raman Prasad as Magazine Issuing Clerk alongwith his pay protecting and other resultant benefits from 1992 is legal & justified? If not, to what relief the workman is entitled?”

2. After receipt of the reference, both parties were noticed and during the hearing of the case, Ld. counsel of Sponsoring Union has informed that workman has not been interested in contesting the case. It is felt that the workman has lost his interest to resolve the matter. Hence “No dispute” award is passed. communicate.

D. K. SINGH, Presiding Officer

नई दिल्ली, 3 जून, 2019

का.आ. 951.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबंध निर्यातकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 धनबाद के पंचाट (संदर्भ संख्या: 105/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/71/1999-आई. आर. (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

New Delhi, the 3rd June, 2019

S.O. 951.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Dhanbad (Ref. No. 105/1999) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/71/1999-IR (C-I)]

S. C. RAY, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No.1, DHANBAD

In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act. 1947.

Reference: No. 105/1999

Employer in relation to the management of Jealgora Colliery of M/S BCCL,

AND

Their workman

Present : Shri D.K.Singh, Presiding Officer.

Appearances:

For the Employers : Shri S.N.Ghosh, Advocate

For the workman. : None

State : Jharkhand.

Industry- Coal

Dated- 29/04/ 2019

AWARD

By order No. L-20012/71/1999-IR(C-I) dated 04/06/1999 the central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub –section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management in superannuating Sri Ramdeo Gope with effect from 09.07.1997 is justified when there is difference in the record of Jealgora Colliery and Bhulanbarari Colliery relating to date of Birth? If not, to what relief the concerned workman is entitled?”

2. After receipt of the reference, both parties were noticed and both parties appeared for certain dates, but subsequently the workman left appearing before the Tribunal. Subsequently two regd. notices were issued but even then no one appeared on behalf of the workman. Moreover one of the notice of the union is returned back with an endorsement that the address is incomplete . Case is pending since long and workman is not appearing so, it is felt that workman has lost his interest to resolve the matter. Hence No Dispute Award is passed. Communicate.

D.K. SINGH, Presiding Officer

नई दिल्ली, 3 जून, 2019

का.आ. 952.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स सी.सी.एल.के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 धनबाद के पंचाट (संदर्भ संख्या: 107/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/497/1998-आई. आर. (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

New Delhi, the 3rd June, 2019

S.O. 952.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Dhanbad (Ref. No. 107/1999) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. CCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/497/1998-IR (C-I)]

S. C. RAY, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No.1, DHANBAD

In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act. 1947.

Reference: No. 107/1999

Employer in relation to the management of Tapin South Colliery of M/S CCL,

AND

Their workman

Present : Shri D.K.Singh, Presiding Officer.

Appearances:

For the Employers :- Shri D.K.Verma, Advocate

For the workman. :- None

State : Jharkhand.

Industry- Coal

Dated- 29/04/ 2019

AWARD.

By order No. L-20012/497/1998-IR(C-I) dated 04/06/1999 the central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub –section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Tapin South Colliery of M/S CC Ltd. in not correcting date of Birth /age in the service sheet of Shri Kauleshwar Bhuia is legal and justified? If not, to what relief the concerned workman is entitled?”

2. After receipt of the reference, both parties were noticed and both parties appeared for certain dates, but subsequently the workman left appearing before the Tribunal. Thereafter two regd. notices were issued but even then no one appeared on behalf of the workman. Case is pending since long and workman is not appearing before Tribunal. so, it is felt that workman has lost his interest to resolve the matter. Hence No Dispute Award is passed. Communicate.

D. K. SINGH, Presiding Officer

नई दिल्ली, 3 जून, 2019

का.आ. 953.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 धनबाद के पंचाट (संदर्भ संख्या: 135/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/78/1999-आई. आर. (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

New Delhi, the 3rd June, 2019

S.O. 953.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Dhanbad (Ref. No. 135/1999) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/78/1999-IR (C-I)]

S. C. RAY, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No.1, DHANBAD

In the matter of reference U/S 10(1) (d) (2A) of I.D.Act.1947

Ref. No. 135 of 1999

Employer in relation to the management of Kusunda Area of M/s. BCCL

AND

Their workman

Present : Shri D.K.Singh, Presiding Officer

Appearances :

For the Employers:- None

For the Workman:- None

State :- Jharkhand

Industry :- Coal

Dated 30/04/ 2019

AWARD

By order No. L-20012/78/1999/IR(C-I) dt. 04.06.1999, the Central Government in the Ministry of Labour has, in exercise of powers conferred by clause (d) of sub-section(1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Kusunda Area of BCCL in denying employment under para 9.4.2 of NCWA to the dependent of Late Jano Kamin, who expired on 26.04.1992 when in service on the ground that the said son was a minor at the time of death of the workman is justified? If not to what relief the dependent is entitled to?”

2. .After receipt of the reference, both parties were noticed and both parties appeared for certain dates, but subsequently left appearing before this Tribunal, The case is pending since 1999 and workman is not appearing before this Tribunal. So it appears that workman has lost his interest to resolve the matter. Hence No Dispute Award is passed. Communicate.

D.K. SINGH, Presiding Officer

नई दिल्ली, 3 जून, 2019

का.आ. 954.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 धनबाद के पंचाट (संदर्भ संख्या: 159/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/216/1996-आईआर (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

New Delhi, the 3rd June, 2019

S.O. 954.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Dhanbad (Ref. No. 159/1997) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/216/1996-IR (C-I)]

S. C. RAY, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act. 1947.

Reference: No. 159/1997

Employer in relation to the management of Bhowra (N) Colliery M/s. BCCL

AND

Their workman

Present : Sri D.K.Sing, Presiding Officer

Appearances:

For the Employers:- Shri D.K.Verma, Advocate

For the workman. :- Shri S.C.Gour, Rep.

State : Jharkhand.

Industry- Coal

Dated- 29/04/2019

AWARD

By order No. L-20012/216/1996-IR(C-I) dated 16/09/1997 the central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal:

SCHEDULE

“Whether the claim of the Union that Sh. Ramdhar Singh Cap Lamp Fitter is senior to Sh. Jogendra Yadav Therefore, he is eligible for promotion as cap Lamp Room Incharge in T&S Grade “D” w.e.f. 10.02.93 is legal and justified? If so, to what relief is the workman entitled?”

2. After receipt of the reference, both parties were noticed and during the hearing of the case, Ld. Vice President of Sponsoring Union has informed that workman has not been interested in contesting the case. It is felt that the workman has lost his interest to resolve the matter. Hence “No dispute” award is passed. communicate.

D. K. SINGH, Presiding Officer

नई दिल्ली, 3 जून, 2019

का.आ. 955.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 धनबाद के पंचाट (संदर्भ संख्या: 161/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/153/1999-आई. आर. (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

New Delhi, the 3rd June, 2019

S.O. 955.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Dhanbad (Ref. No. 161/1999) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/153/1999-IR (C-I)]

S. C. RAY, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of reference U/S 10 (1) (d) (2A) of I.D.Act. 1947

Reference : No. 161/1999

Employer in relation to the management of Kusunda Area of M/s. BCCL,

AND

Their workman

Present : Sri D.K.Singh, Presiding Officer.

Appearances:

For the Employers : None

For the workman. : Shri R.R.Ram, Rep.

State : Jharkhand.

Industry- Coal

Dated- 28/02/ 2019

AWARD

By order No. L-20012/153/1999-IR(C-I) dated 03/08/1999 the central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub –section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management of Kusunda Area of M/s. BCCL in not allowing to resume his duty to Sri Chhota Munshi S.F.Mazdoor after medical fitness from East Basuria Colliery Hospital w.e.f 19.05.97 to 17.09.1998 and sending him Apex Medical Board is legal and justified? If so to what relief the workman is entitled to?”

2. After receipt of the reference, both parties were noticed and during the hearing of the case, Ld. President of Sponsoring Union has informed that workman has not been interested in contesting the case. It is felt that the workman has lost his interest to resolve the matter. Hence “No dispute” award is passed. communicate.

D.K. Singh, Presiding Officer

नई दिल्ली, 3 जून, 2019

का.आ. 956.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 धनबाद के पंचाट (संदर्भ संख्या: 202/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/389/1999-आई. आर. (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

New Delhi, the 3rd June, 2019

S.O. 956.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Dhanbad (Ref. No. 202/1999) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/389/1999-IR (C-I)]

S. C. RAY, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of reference U/S 10(1) (d) (2A) of I.D.Act.1947

Ref. No. 202 of 1999

Employer in relation to the management of Pootki Colliery of M/s. BCCL

AND

Their workmen

Present : Shri D.K.Singh, Presiding Officer

Appearances :

For the employers : None

For the Workman. : None

State :- Jharkhand

Industry :- Coal

Dated 29/04/ 2019

AWARD

By order No. L-20012 /389 /1999/IR (C-I) dt. 02.12.1999, the Central Government in the Ministry of Labour has, in exercise of powers conferred by clause (d) of sub-section(1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the demand of the union to regularize S/Sri Mukut Saw, Jalil Mia, Sahebjan Mia and Jagdish Harijan as security Guard from the management of Pootki Colliery of M/s. BCCL is justified and proper? If yes to what relief the workmen are entitled?”

2. After receipt of the reference, both parties were noticed, but none of the parties appeared before this Tribunal . Thereafter two regd. Notices issued but again no one appeared. More over one of the notices returned with endorsement “ Not Known”. The Case is pending since long and workmen is not appearing before this Tribunal. So it appears that the workmen has lost his interest to resolve the matter. Hence “No Dispute” Award is passed. Communicate.

D. K. SINGH, Presiding Officer

नई दिल्ली, 3 जून, 2019

का.आ. 957.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल.के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1 धनबाद के पंचाट (संदर्भ संख्या: 208/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17/05/2019 को प्राप्त हुआ था।

[सं. एल-20012/384/1999-आई. आर. (सी-1)]

एस. सी. राय, अनुभाग अधिकारी

New Delhi, the 3rd June, 2019

S.O. 957.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1 Dhanbad (Ref. No. 208/1999) as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 17.05.2019.

[No. L-20012/384/1999-IR (C-I)]

S. C. RAY, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1, DHANBAD

In the matter of reference U/S 10(1) (d) (2A) of I.D.Act.1947

Ref. No. 208 of 1999

Employer in relation to the management of Govindpur Area of M/s. BCCL

AND

Their workman

Present : Shri D.K.Singh, Presiding Officer

Appearances :

For the employers:- None

For the Workman:- None

State :- Jharkhand

Industry : Coal

Dated : 30/04/ 2019

AWARD

By order No. L-20012 /384 /1999/IR (C-I) dated. 02.12.1999, the Central Government in the Ministry of Labour has, in exercise of powers conferred by clause (d) of sub-section(1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

“Whether the action of the management to dismiss Shri Sanihar Turi from service on ground of absence from duties is legal and justified ? If not , to what relief Shri Sanihar Turi is entitled?”

2. After receipt of the reference, both parties were noticed, but after issuance of two regd. Notices, none has appeared from either side. Case is pending since long. It appears that the workmen has lost his interest to resolve the matter. Hence “No Dispute” Award is passed. Communicate.

D. K. SINGH, Presiding Officer

नई दिल्ली, 4 जून, 2019

का.आ. 958.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स मझगांव डॉक लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय बंगलोर के पंचाट (संदर्भ संख्या: 70/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28/05/2019 को प्राप्त हुआ था।

[सं. एल-45011/2/1995-आई. आर. (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 4th June, 2019

S.O. 958.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 70/1997) of the Central Government Industrial Tribunal/Labour Court, Bangalore now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Mazagaon Dock Limited and their workman, which was received by the Central Government on 28.05.2019.

[No. L-45011/2/1995-IR (M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BANGALORE

DATED : 17TH MAY 2019

PRESENT : Justice Smt. Rathnakala, Presiding Officer

C.R No. 70/1997

I Party

The General Secretary,
Mazagon Dock Limited
Employees Association,
Panambur,
Mangalore – 575 010.

II Party

The Dy. General Manager,
Mazagon Dock Limited,
Mangalore Yard, Panambur
Mangalore – 575 010.

Advocate for I Party :

Mr. V S Naik

Advocate for II Party:

Mr. P D Vishwanath

AWARD

The Central Government vide Order No.L-45011/2/95-IR(Misc) dated 08.08.1995 in exercise of the powers conferred by Clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of Industrial Dispute act, 1947 (for brevity 'the Act' hereafter) referred the following Industrial Dispute for adjudication.

“Whether the action of the Management of Mazagon Dock Ltd., Mangalore Yard in not categorising Sri Arnold Frenandes and six others at par with Diploma holders in Mech. Engineering is justified? If not, to what relief they are entitled?”

1. The case of the 1st Party is, 2nd Party is an independent entity having its head office at Bombay. It's main activity is fabrication of components and structures required mainly for natural oil and gas exploration in the Country. The 1st Party workmen are B.Sc Graduates appointed in the year 1984 - 85, they were trained for a period of 6 months in NDT (Non Destructive Testing) techniques through foreign technical experts at Mangalore Yard. They were looking after the quality control of the work turned out at Mangalore Yard, some of the Mechanical Engineers (Diploma Holders) working at the yard were phased out after the appointment of the 1st Party workmen, their work and responsibility was identical with those of Diploma Mechanical Engineers working in the quality control department. The appointment letters were given to them for the first time in 1986 and the categorization for the first time was carried out. The 1st Party workmen were put in 'Skilled-1' category which was equal to 'Class IV Workmen Grade' whereas the Diploma

Mechanical Engineers working with them in the quality control department discharging the same functions and having same responsibilities, though academically lesser qualified were classified in higher category of Foreman-II which is Supervisory Grade of Class-II. The Union placed a Charter of Demand in the year 1989 calling to set right the anomalies in the categorization, a Committee was constituted for considering the said anomalies. Though time bound process was conducted by the Management to resolve the anomalies pertaining to the 1st Party workmen, no categorization is made till now.

2. The 2nd Party in its statement countered that, initially during 1983-84 the staff and operators were engaged on adhoc basis and there was no recruitment rules and personnel's were engaged as per job requirement, purely on temporary and adhoc basis, later these recruitments were regularised. The duties of the Foreman-II (Possessing Qualification of Diploma in Mechanical Engineering) are quite different from the duties of the 1st Party workmen. The Diploma Mechanical Engineers have Technical/Engineering Qualification unlike the 1st Party workmen who have general degree qualification. The contention of the 1st Party that, their jobs are equal to those of Foreman-II with Diploma in Engineering qualification is basically wrong, the benefits like TA/Disciplinary Authority etc., are different to both categories. They have not violated the Principles of Equal Work and Equal Pay. Consequent upon a discussion between the Management and the Union in the presence of Assistant Labour Commissioner (Central) Mangalore, the employees were issued appointment orders after categorization in different categories. Among the seven employees 4 were engaged for NDT work and remaining three were engaged for pipe coating quality control, they are categorised in the Skilled-I Grade in the pay scale of Rs. 630-11-655-13-720-15-885 whereas the Graduate Clerks and other equivalent traders were categorised in the Assistant-I Grade of Rs. 600-11-655-13-720-15-885 with lesser pay scale. As per Clause 3 of the Settlement dated 24.02.1987 consisting of representatives of National Productivity Council, the Management of MDL – Mangalore Yard and the Employees Association was constituted to resolve the cases of anomalies in categorization, if any. The Memorandum of understanding was ratified by signing a Settlement under section 12(3) of the Act. The dispute regarding the anomaly in categorization of the 4 workmen was settled under section 12(3) of the Act.

3. It is further stated that, fabrication of heavy engineering structures requires technically qualified personnel to organize

fabrication works in compliance of technical specifications especially in the areas of fabrication, quality control comprising on job inspection, non destructive testing and such other inspection/testing of the welding jobs/joints. The 2nd Party recommended Graduate Engineers as Officers for the said purpose. Prior to the engagement of 1st Party workmen Sl. No. 1 to 4 in January 1985, the workmen at Sl. No. 5 to 7 were engaged for quality control jobs in the Pipe Coating Project since January 1984. The Diploma Holders in Engineering were engaged for fabrication and inspection jobs as they had the basics knowledge of Engineering, drawings, welding, workshop practice/ fit up, alignment etc., which form a part of their Diploma Curriculum, the technical knowledge in the above areas is necessary for those who are required to carry out fabrication/ inspection jobs of heavy engineering structures. The B.Sc course does not include the engineering skills. Hence, B.Sc qualified personnel were engaged in NDT (Non Destructive Testing) jobs on quality control and the initial training was adequate for such jobs. The works and responsibilities entrusted to the Diploma Holders, and the 1st Party workmen were different, the 4 B.Sc personnel in Ultrasonic Testing Methods were not permitted to be used for their own UT jobs in the yard by M/s. Engineers India Limited who were the Inspection Agency on behalf of the client M/s. Oil and Natural Gas Commission. Those jobs were done through outside sub-contractors who were qualified for such jobs by M/s EIL. Hence, 4 B.Sc graduate could not be utilised for the UT Jobs, their services was used for coordinating the NDT/UT jobs of the UT contractors and they were re categorized as Skilled-II w.e.f 01.01.1986.

4. The fact is this Tribunal vide its Award dated 12.02.2002 had rejected the reference. The Award was challenged by 2 of the concerned workmen Sh. P. S Nataraj and Sh. Ramesh Kulai before the Hon'ble High Court on the ground that their pay scale fixed is not in par with Diploma Holders in Engineering i.e. B.Sc with Technical Qualification by way of training. The Hon'ble High Court vide order dated 03.10.2007 set aside the award and remitted back the matter with a direction to afford opportunities to both the parties. By way of memo dated 06.12.2013 it is shown that, 2nd Party closed its operations in Mangalore during October 2000, as on that date only 2 workmen namely Sh. P S Nataraj and Sh. Ramesh Kulai were working in Mangalore and they were transferred to Mumbai, other workmen are not in the service of the 2nd Party Management since long. It is further expressed in the Memo that, these 2 workmen are willing to receive notional pay fixation benefits by granting them the pay scale applicable to the Diploma Holders in Mechanical Engineering (I.D 10th Grade) w.e.f September 2008 and grant of increment and revised pay fixation applicable to the post from time to time without arrears of wages/salary. It was also stated that, it is a proposal to put an end to the litigation which is pending since almost 2 decades. However, the proposal was not accepted by the Management.

5. Through further evidence of MW-1 it was reiterated that the 2nd Party implemented the recommendation of the committee constituted regarding anomalies in categorization and accepted their report, he produced report based on the Charter of Demand placed by the Union on 02.08.1993 (Ex M-14) which culminated into settlement on 13.07.1995 incorporating all demands raised by the Union. According to him all the demands raised by the union have been fully settled under the settlement and the terms of settlement are binding on the Association as well as the workmen.

6. Subsequent to remand WW-1 Sh. P. S. Nataraj was further examined in chief he testified to the effect that Ex M-14 was not shown to them before it was produced in the Tribunal. Subject 9(b) in Ex M-14 pertains to their demand in this reference and the demand is not covered in the settlement and the last page of Ex M-14, he considers it not genuine. He admits that he accepted the promotion in the month of October 2010 as Senior Quality Control Inspector.

7. The small area of dispute between the parties is whether the anomaly of categorization is already addressed or not under any settlement. When the above evidence was tallied with the documents it is noticed that Ex M-14 is the Report in respect of Charter of Demand placed by the union on 29.09.1990 (Annexure-A to Ex M-14 is the report of the Committee which was formed to look into anomaly of categorization). The Committee has opined that there was no justification in their demand. The 2nd Party vide order dated 04.10.1993/Ex M-15 addressed to the Assistant Labour Commissioner (Central) has stated that the matter regarding anomaly of categorization has been settled as per the terms of memorandum of understanding dated 07.11.1987 and further ratified by a settlement dated 01.12.1987 in the office of the Assistant Labour Commissioner (Central). The Committee of Officers was set up with regard to the demand of the union pertaining to B.Sc qualified persons in the Quality Control Department of the Pipe Coating Project who has been categorized in the Skilled-I Grade of Rs. 630-12-690-14-830. The Committee held discussion with the Representatives of the Employees Association and Committee opined that there is no justification for this demand.

8. That being so further probe is whether the 1st Party workmen are entitled for categorization of anomaly as Foreman-II, Diploma in Mechanical Engineers on the Principle of Equal Work for Equal Pay. There is no gain-say to the evidence of the 2nd Party that the workmen were recruited at the time (1983-1984) when there were no recruitment rules. Sh. P. S. Nataraj is a B.Sc graduate appointed in the year 1985 was engaged to work as Ultrasonic Testing Operator and Sh. Ramesh Kulai was engaged to work in Pipe Coating Project. The fabrication of heavy engineering structures requires technically qualified personnel. Therefore the 2nd Party recruited the required Graduate Engineers as Officers and also recruited 40 Diploma Holders in Mechanical/Electrical Engineering in non-officer category to assist the said Graduate Engineers for fabrication, maintenance and inspection jobs. The Diploma in Mechanical/Electrical Engineering were engaged for fabrication and inspection jobs since they have the basic knowledge of Engineering drawings, welding, workshop practice, fit-up, alignment etc which they have studied as part of their curriculums. It is consequent upon recommendation of Tripartite Committee consisting of the representatives of National Productivity Council (Bangalore Chapter), the Management of Mazagon Dock Ltd., and the Karnataka Dock and General Workers Union and the committee had examined the issue of anomalies in categorization. The Memorandum of Understanding dated 07.11.1987 (Ex M-3) was arrived and thus Sh. P. S. Nataraj was placed at Skilled-II grade from Skilled-I grade and further as per the Memorandum of Settlement (Ex M-4) he was re-categorized w.e.f 01.01.1986 in the pay scale of Rs. 650-16-730-18-910 thus the categorization pertaining to Sh P.S. Nataraj has become conclusive. However on the union making further demand at Ex M-6, the committee recommended the up gradation of Sh. Ramesh Kulai to Skilled-II category and has rejected their demand for up gradation to Supervisory Cadre.

9. In the subsequent settlement dated 13.07.1995 (Ex M-10) with regard to Charter of Demand to categorize these workmen [as at clause 18(O)] it was specifically mentioned that the settlement is in full and final settlement of all demands and none of them shall form a point of Industrial Dispute during the period of settlement. Therefore the cause espoused by the union thereafter in this reference as no ground. In fact, the Diploma Holders with whom the 1st Party workman are comparing themselves were appointed in non-officer category to assist the Graduate Engineers for fabrication, maintenance and inspection job, they were categorised as Foreman-II. Sh. P. S. Nataraj along with 3 others were engaged for Ultrasonic Testing jobs offshore and Sh. Ramesh Kulai has worked for Quality Control works in Offshore and Pipe Coating Project. Since, the client M/s. ONGC objected the B.Sc graduates carrying on the ultrasonic testing jobs, the 2nd Party instead of retrenching the B.Sc graduates, deployed them to assist Quality Control Engineers for co-ordinating the activities of the contractors who were entrusted with the jobs of ultrasonic testing. Since there was no specific work assigned for them in Quality Control Department their service was availed for other functions.

10. While WW-1 was in the witness box he has not denied the statement that the Diploma Mechanical Engineers and the workmen are not similar. In fact Sh. Ramesh Kulai is a graduate in Science and does not have any technical qualification. WW-1 now disputes his knowledge to the Report and findings of Committee which examined the Demand of the Union pertaining to anomaly in categorization of employees (it is part of Ex M-14). But being an interested party with regard to the subject-matter of anomaly in categorization, his pretence of ignorance cannot be entertained. They have not questioned neither reconstitution of the committee nor the report annexed to Ex M-14. The Apex Court while dealing with a similar issue in (2004) 1 SCC 347, dated 18.11.2003, Government of W.B vs Tarun K Roy and others held that, it is for the executive and not for the Courts to lay down the qualification required for holding a post. The principle was reiterated in the matter of AIR 1992 SC 1203, dated 20.02.1992, Secretary, Finance Department and others vs West Bengal Registration Service Association and others, it was held that equation of posts and determination of pay-scales is the primary function of the executive and not the judiciary.

11. Grievance that, the 1st Party workman ought to have been treated in par with Diploma Mechanical Engineers who have been categorized as Foreman-II does not stand on a firm ground. By now the concerned 1st Party workmen who have prosecuted this reference, further namely Sh. P. S. Nataraj and Sh. Ramesh Kulai have enjoyed their further

promotions from Quality Control Inspector grade to Senior Quality Control Inspector grade w.e.f 01.10.2010 which they have happily accepted. Hence, the following.

AWARD

The reference is rejected.

(Dictated, corrected and signed by me on 17th May, 2019)

JUSTICE SMT. RATHNAKALA, Presiding Officer

नई दिल्ली, 4 जून, 2019

का. आ. 959.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स मैसूर मिनरल्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय बंगलूर के पंचाट (संदर्भ संख्या: 98/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.05.2019 को प्राप्त हुआ था।

[सं. एल-29012/24/2007-आई. आर. (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 4th June, 2019

S.O. 959.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 98/2007) of the central Government Industrial tribunal/Labour Court, Bangalore now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Mysore Minerals Limited and their workman, which was received by the Central Government on 28.05.2019.

[No. L-29012/24/2007-IR (M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT

DATED : 10th MAY 2019

PRESENT : JUSTICE SMT. RATHNAKALA, Presiding Officer

C R No. 98/2007

I Party

Sh. H M Giddegowda,
S/o Late Malati Gowda,
MML Worker, Halenahalli Village, Lalinakere
Post, Gandasi Hobli, Arasikere Tq., HASSAN
DISTRICT.

II Party

The Managing Director,
Mysore Minerals Limited,
No. 39, M G Road,
BANGALORE – 560 001.

Appearances

I Party : Shri K. T. Govinde Gowda, Advocate

II Party : Sh. L. Venkatarama Reddy, Advocate

1. The Government of India, Ministry of Labour vide order No. L-29012/24/2007-IR(M) dated 21.08.2007 in exercise of the power conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred as “The Act”) (14 of 1947) referred the following Industrial Dispute to this Tribunal for adjudication:

SCHEDULE

“Whether the action of the management of Mysore Minerals Limited in terminating the services of Sri H. M. Giddegowda w.e.f. 17/6/2003 is justified? If not, to what relief the workman is entitled to?”

2. The fact is, the 1st Party was working at the 2nd Party management at its Mining Unit viz., Haladahalli Chromite Mines later he was transferred to Thagadur Chromite Mines, Bhuvanahalli Post, Bagur Hobli, Channarayapatna Taluk, Hassan District, as a Mining worker. He was terminated from service w.e.f. 17.06.2003.
3. The 1st Party in his claim contends that
‘he suffered employment injury; he was given 48 days of sick leave after the expiry of the period, his sick leave was not extended, his medical expenses were not met. Since he could not work, his period of absence was treated as unauthorized absence and his request for a light job was not considered. They issued termination order vide letter No. 156 dated 17.06.2003 on the ground of unauthorized absence, his termination without holding an enquiry on the allegation is irregular and illegal. Prior to his termination he was called to appear before Mr. Chandrashekar at Jambur Mines for preliminary discussion about his treatment and later on, they considered the same as enquiry. But there was no charge sheet and prior notice; the preliminary enquiry was treated as regular enquiry; the provisions of the certified standing order and the Principles of Natural Justice was not followed during the said preliminary enquiry also. The punishing authority mechanically accepted the findings of the preliminary enquiry and considered him guilty of the charges. Findings of the enquiry was not furnished to him, the penalty of dismissal is excessive and disproportionate to the gravity of the alleged misconduct’.
4. The 2nd Party in their counter statement contended that
‘the dispute filed after a lapse of five years is barred by time. He was given 30 days time to prefer appeal before the Appellant Medical Board. But ‘*he did not use the opportunity*’, he waited for the result pertaining to a case filed by the co-workers before the Hon’ble High Court in WP 5615/2001 and 26101/2001. Inspired by the success of the Writ Petition he has raised this dispute. The 2nd Party arranged for medical examination of its employees during the year 1997-1998 as required under the Mines Rules 1955. A team of qualified and senior medical officers from Hutti Gold Mines Company Limited was entrusted to carry out the medical examination, the 1st Party was examined by the said expert team, they found him incapacitated to work in the mine for the reason that he was aged more than 58 years. As per the report of the expert medical officers the 2nd Party decided to terminate the services of the workers and gave opportunity to prefer appeal before the Appellate Medical Board, without filing the appeal and without protest he has received the monetary benefits arising out of termination. Having amicably settled monetary benefits he has no right to raise the present dispute’.
5. Both have adduced evidence reiterating their respective stand. On behalf of the management the Assistant Manager of the 2nd Party adduced evidence. The 1st Party workman adduced evidence but did not produce any document, however, during the cross-examination of MW 1 one document i.e., the extension of superannuation of the employees of the 2nd Party from 58 years to 60 years (Ex W-1) was marked.
6. It is the plain allegation that the workman had suffered employment injury on 22.02.2000 and did not recover thereafter. For some time they met his medical expenses, took him to the hospital, they had given him 48 days of leave, thereafter, did not extend sick leave and also did not provide medical expenses. The 2nd Party instead of countering the allegation of termination on the ground unauthorized absence has taken a stand that he was terminated since he was aged for more than 58 years. To analyze the veracity of the stand taken by either side, documentary proof was required. The Oral Evidence of MW 1 also fails to counter the claim statement allegation, when the 1st Party contends that he was terminated on the ground of unauthorized absence without holding enquiry as contemplated by clause 33.0 of the Certified Standing Orders of Mysore Minerals Limited Officers and Employees Conditions of Service, Conduct & Disciplinary Proceedings Rules, the 2nd Parties’ reciprocation that since he was found to have crossed superannuation age of 58 years his service was terminated with a liberty to prefer appeal before the Medical Board does not stand to reason.
7. Going by the case of the 1st Party, it is an instance of termination of 17.06.2003 on the allegation of the misconduct of unauthorized absence. He has raised the dispute in the year 2007. He has not produced his termination order of 17.06.2003. He has not explained the delay in raising the dispute. He has not mentioned his age either in the claim statement or in his affidavit statement perhaps for a hidden reason. Without producing the termination order he is expecting an Award in his favour to set aside the said order of 17.06.2003 which is not permissible. Hence, the

AWARD

Reference is rejected.

(Dictated to U D C, transcribed by him, corrected and signed by me on 10th May 2019)

JUSTICE SMT. RATHNAKALA, Presiding Officer

नई दिल्ली, 4 जून, 2019

का.आ. 960.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ओएनजीसी लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय अहमदाबाद के पंचाट (संदर्भ संख्या: 782/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24.05.2019 को प्राप्त हुआ था।

[सं. एल-30012/1/2002-आई. आर. (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 4th June, 2019

S.O. 960.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 782/2004) of the Central Government Industrial Tribunal/Labour Court, Ahmedabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. ONGC Limited and their workmen, which was received by the Central Government on 24.05.2019.

[No. L-30012/1/2002-IR (M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present : Pramod Kumar Chaturvedi, Presiding Officer, CGIT-cum-Labour Court,

Ahmedabad,

Dated 07th May, 2019

Reference: (CGITA) No. 782/2004

1. The Group General Manager (P),
ONGC Ltd., Ankleshwar Project, Ankleshwar,
Bharuch (Gujarat) – 393010
2. The Location Manager (WOS),
ONGC Ltd., Work Over Service, Ankleshwar,
Bharuch (Gujarat)

...First Parties

V/s.

Mr. Dashrathbhai Bishandayal Rajora,
B/43, Tulsidham Society, Zadeshwar Road,
Bharuch (Gujarat)

...Second Party

For the First Party : Shri C.S. Naidu

For the Second Party : Shri Prabhatsinh Parmar

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-30012/1/2002-IR(M) dated 16.07.2002 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of ONGC Ltd., through the Group General Manager (P), Ankleshwar and its officers in terminating the services of the workman Shri Dashrathbhai Bishandayal Rajora, Junior Technician

(Welder) w.e.f. 27.03.2000 by way of deemed resignation from service is legal, proper and justified? If not, to what relief the concerned workman is entitled to and from which date and what other directions are necessary in the matter?"

1. The reference dates back to 16.07.2002 and received on 05.08.2002 from Ministry of Labour and Employment, New Delhi for adjudication and passing the award.
2. After issuing notice to the parties, the second party submitted the statement of claim Ex. 3 on 19.8.2002 and the first party submitted the written statement Ex. 5 on 21.01.2003.
3. The second party workman Dashrathbhai Bishandayal Rajora in his statement of claim has alleged that he was initially appointed as Junior Technician (welder) on 16.08.1983 and since then, he continued to work uninterruptedly till 24.03.2000 when his services were terminated by the ONGC Ltd., Ankleshwar without giving any opportunity of hearing. He completed 17 years of service at the time of termination of his service. He worked for more than 240 days in each and every calendar year. During the period of service, he was never issued any show-cause notice. His services were blotless. Therefore, he raised the dispute before the Conciliation Officer where reconciliation failed; hence this reference was referred to this Tribunal by the Ministry of Labour and Employment on 16.07.2002. Therefore, he has prayed for reinstatement with back wages with consequential benefits of retirement.
4. The first party The Group General Manager (P), ONGC Ltd., Ankleshwar Project, Ankleshwar, Bharuch and The Location Manager (WOS), ONGC Ltd., Work Over Service, Ankleshwar, Bharuch, hereinafter referred to as 'first party' in his written statement Ex. 5 partly denying the averments made in the statement of claim submitted that he has been absent from duty from 15.06.1998 to 25.08.1999. He was issued number of show-cause notices dated 08.02.2000 and 22.10.2000 to resume duty within 10 and 15 days respectively from the date of issue of notice. The workman did not respond to the notice issued as said above, therefore, on 24.03.2000, the workman Dashrathbhai Bishandayal Rajora was treated/declared to have deemed resigned w.e.f. 21.10.1999 i.e. the date from which the workman Dashrathbhai Bishandayal Rajora absented from duty without any authorisation in terms of the provisions of Rule 14 (5) of ONGC Leave Rules.

The provisions of Rule 14 (5) of ONGC Leave Rules are reproduced as under:

"Where an employee fails to resume duty on the expiry of the period of extra-ordinary leave, if the leave granted to him is the maximum that can be granted or where an employee is granted a lesser amount of extraordinary leave than the maximum admissible under this rule, remains absent from duty for any period which, together with extraordinary leave so granted exceeds the limit up to which he could have been granted leave under this rule, he shall be deemed to have resigned from his appointment and shall accordingly cease to be in the employment of the Company, unless the Company may determine otherwise, in view of the exceptional circumstances of the case."

Thus the reference has no force and liable to be dismissed.

5. The workman submitted the documents of EEG Report and death certificate of his mother vide Ex. 7. He further submitted his own medical certificate and copies of show-cause notices dated 08.02.2000 and 22.02.2000 along with the office order of termination of his service dated 24.06.2000 vide list Ex. 8.
6. The first party vide list Ex.9 submitted following documents:
 - i. Xerox copy of memorandum issued to second party workman by Dy. Superintending Engineer P (WOR), Ankleshwar dated 15.05.1987.
 - ii. Xerox copy of memorandum issued to second party workman by Dy. Superintending Engineer P (WOR), Ankleshwar dated 03.12.1987.
 - iii. Xerox copy of memorandum issued to second party workman by Chief Engineer P, Ankleshwar dated 06.04.1992.
 - iv. Xerox copy of memorandum issued to second party workman by Dy. Director (P&A), Ankleshwar dated 01.05.1992.
 - v. Xerox copy of Note of first party ONGC issued to second party workman dated 25.06.1992.
 - vi. Xerox copy of Note of first party ONGC issued to second party workman dated 09.02.1993.
 - vii. Xerox copy of Note of first party ONGC dated 25.02.1993.
 - viii. Xerox copy of memorandum issued to second party workman by Chief Engineer P, Ankleshwar dated 14.06.1993.
 - ix. Xerox copy of memorandum issued to second party workman by Dy. Director (P&A), Ankleshwar dated 30.06.1993.

- x. Xerox copy of memorandum issued to second party workman by Chief Engineer P, Ankleshwar dated 06.12.1993.
 - xi. Xerox copy of memorandum issued to second party workman by Chief Engineer P, Ankleshwar dated 06.07.1995.
 - xii. Xerox copy of memorandum issued to second party workman by Incharge WOR Chief, Ankleshwar.
 - xiii. Xerox copy of memorandum issued to second party workman by Incharge WOR Chief, Ankleshwar dated 12.12.1995.
 - xiv. Xerox copy of memorandum issued to second party workman by Incharge WOR, Ankleshwar dated 09.01.1996.
 - xv. Xerox copy of memorandum issued to second party workman by Incharge WOR, Ankleshwar dated 21.11.1995.
 - xvi. Xerox copy of memorandum issued to second party workman by Dy. Director, Ankleshwar dated 31.01.1996.
 - xvii. Xerox copy of notice of the first party ONGC dated 10.09.1996.
 - xxviii. Xerox copy of memorandum issued to second party workman by General Manager (Ops), Ankleshwar dated 23.10.1996.
 - xix. Xerox copy of memorandum show cause notice – 1 issued to second party workman dated 03.02.1998.
 - xx. Xerox copy of letter issued to second party workman by General Manager (P&A) dated 24.02.1998.
 - xxi. Xerox copy of letter issued to second party workman by Dy. Manager (P&A) dated 21.12.1998.
 - xxii. Xerox copy of letter issued to second party workman by Manager (P&A) dated 20.07.1999.
 - xxiii. Xerox copy of letter of first party ONGC issued to second party workman.
 - xxiv. Xerox copy of letter of first party ONGC issued to second party workman dated 03.02.2000.
 - xxv. Xerox copy of memorandum show cause notice 1 issued to second party workman by Location Manager dated 08.02.2000.
 - xxvi. Xerox copy of memorandum (final show cause notice) issued to second party workman by Manager (P&A) dated 22.02.2000.
 - xxvii. Xerox copy of office order of the first party ONGC dated 24.03.2000.
 - xxviii. Xerox copy of attendance statement of the second party workman.
7. On the basis of the pleadings, the following issues arise:
- i. Whether the action of the management of ONGC Ltd., through the Group General Manager (P), Ankleshwar and its officers in terminating the services of the workman Shri Dashrathbhai Bishandayal Rajora, Junior Technician (Welder) w.e.f. 24.03.2000 by way of deemed resignation from service is legal, proper and justified?
 - ii. To what relief, if any, the workman is entitled?
8. **Issue No. i and ii:** As all the issues are interrelated, therefore, are decided together. The burden of proof of these issues lies on the second party workman who submitted his affidavit reiterating the averments made in the statement of claim. In his cross-examination, he has admitted that he was issued show-cause notice dated 08.02.2000 and 22.02.2000 regarding his long absence for 14 months. He has also deemed admitted that his services were terminated in terms of deemed resignation from service under the provisions of Rule 14 (5) of ONGC Leave Rules, 1995. Though he has submitted the medical certificate of his mother regarding carcinoma but he has failed to prove by way of oral as well as documentary evidence that he was ever admitted in the cancer or other hospital for the treatment of carcinoma.
9. The first party examined Saiyad Varas Ali Yaver Ali, Senior Executive, Human Resource, ONGC vide Ex. 20 reiterating the averments made in the written statement submitted that the workman absented from duty from 15.06.1998 to 25.08.1999, therefore, he was issued show-cause notices which the workman did not reply. Therefore, vide order dated 24.03.2000, the services of the workman were seized treating his long absence as deemed resignation w.e.f. 21.10.1999. The office order of deemed resignation Ex. 8/4 shows that following advances and liabilities were due on the workman:

Serial No.	Head	Amount of Rupees.
1	HBA	Rs.50050/-
2	Int. on HBA Appx.	Rs.27000/-
3	Scooter Advance	Rs.13000/-
4	CPF Advance	Rs.25800/-
5	Int. on CPF	Rs.8288/-
6	Furnishing Advance	Rs.582/-
7	Int. on Scooter Adv.	Rs.2888/-
8	Ad-hoc – 97-2000	Rs.32900/-

10. I heard the arguments of learned counsel of the parties and considered the evidence of both the parties oral and documentary available on the records as well as the written arguments of the second party.
11. It is an admitted fact that while treating the workman's long absence as deemed resignation; all the consequences of retirement benefits shall follow. Retirement benefits can only be denied when a departmental enquiry under Article 311 (2) read with Article 14 of Constitution of India is conducted.
12. It is also an admitted fact that the workman absented from duty from 15.06.1998 to 25.08.1999 without proper authorisation. The workman has failed to establish that his mother suffering with carcinoma was ever admitted in the hospital for medical treatment. It is also admitted that the long absence of the workman was never treated as misconduct by the first party as despite issuing 2 show-cause notices, no departmental enquiry was conducted against the workman in to 14 months long absence from duty, rather, the first party ONGC treated the 14 months long absence as deemed resignation. Therefore, cessation of service w.e.f. 24.03.2000 cannot be treated as a termination of service as the first party has admitted that it was a deemed resignation. It is also admitted that the workman completed 17 years of service which might have been eligible for pension and retirement benefits but the order of the first party ONGC dated 24.03.2000 is silent regarding the payment of pension and retirement benefits. I cannot pass specific order in this regard because both the parties failed to show me the pension rules of ONGC in case what will happen if the workman has completed 17 years of service and his long absence has been treated as deemed resignation. It is also noteworthy that the workman was having some liabilities regarding house building allowance (H.B.A.) and other loans. Therefore, the reference is disposed of with a order that the workman will move an application for grant of pension and other benefits to the first party ONGC within a week from the publication of the award and the first party ONGC shall sanction pension and other retirement benefits by a reasoned order referring the various provisions of pension, gratuity and provident fund rules in the service rules of ONGC within 30 days from the application moved by the workman. Both the issues are decided accordingly.
13. The award is passed accordingly.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 4 जून, 2019

का.आ. 961.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स मैसूर मिनरल्स लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय बंगलूर के पंचाट (संदर्भ संख्या: 04/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28.05.2019 को प्राप्त हुआ था।

[सं. एल-29012/77/2007-आई. आर. (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 4th June, 2019

S.O. 961.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 04/2008) of the Central Government Industrial Tribunal/Labour Court, Bangalore now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Mysore Minerals Limited and their workmen, which was received by the Central Government on 28.05.2019.

[No. L-29012/77/2007-IR (M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
BANGALORE - 560022**

DATED : 10th MAY 2019

PRESENT : JUSTICE SMT. RATHNAKALA, Presiding Officer

C R No. 04/2008

I Party

C S Nanjundegowda,
S/o late Shivegowda, MML Worker, Aldahalli
Village, Bageval Post, Gandasi Hobli, Arasikere
Taluk,
HASSAN DISTRICT.

II Party

The Managing Director,
Mysore Minerals Limited,
No. 39, M G Road,
BANGALORE – 560 001.

Appearances

I Party : Shri K T Govinde Gowda, Advocate

II Party : Sh. T K Veda Murthy, Advocate

1. The Government of India, Ministry of Labour vide order No. L-29012/77/2007-IR(M) dated 06.02.2008 in exercise of the power conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (hereinafter referred as “The Act”) (14 of 1947) referred the following Industrial Dispute to this Tribunal for adjudication:

SCHEDULE

“Whether the termination of Sh. C S Nanjundegowda by the management of Mysore Minerals Limited w.e.f. 24/5/1998 is justified? If not, to what relief the workman is entitled to?”

2. The fact is, the 1st Party C S Nanjundegowda joined the service of 2nd Party on 15.06.1986; his date of birth is 01.07.1941 as per his Horoscope, same Date of Birth is recorded in all the statutory records pertaining to him. The 2nd Party conducted medical examination and refused employment w.e.f. 24.05.1998 on the ground that he has reached superannuation age of 58 years as per the medical examination report.

3. The 1st Party in his claim statement contends,

‘at that point of time there was enmass termination / premature retirements on the ground of medical unfitness and also age certified by the medical officer. Similar termination ordered by the 2nd Party are set aside by the Hon’ble High Court of Karnataka with payment of Back wages and continuity of service; his termination is not justified; they have tampered his records pertaining to date of entry, age etc. The Medical Examination was conducted by a MBBS doctor by not a Doctor of a Rank of Assistant Civil Surgeon as contemplated by Rule 29-C of the Mines Act, 1955, hence his medical examination is illegal. His termination amounts to retrenchment without following the mandatory provisions of the law’.

4. The 2nd Party in their counter statement contradicted the claim allegation on the following lines;

‘his date of birth is not genuine. On the recommendations of the Employees Union of the 2nd Party he was subjected to the medical examination, he was not allowed to work w.e.f. 27.06.1998 since he had attained the age of superannuation. They have not changed his date of birth in the records. There is inordinate delay in raising the dispute. As per the requirement of Mines Act, 1952, the employees employed at mines are required to undergo periodical medical examination since the 2nd Party issued circulars to its employees and subjected them for medical examination. A team of qualified and medical officers from Hutti Gold Mines Company have examined the employees. During the medical examination he was found to be aged more than 58 years. The said report is not challenged before the Appellant Medical Board within 30 days as prescribed under the Mines Rules. In view of the acceptance of the Medical Report the 2nd Party relieved him from service by settling all his termination benefits’.

5. Both parties have adduced their evidence by reaffirming their respective stand. During the cross-examination of Management Witness/MW 1 three judgements of the Hon’ble High Court in WP No. 5615/2001(S-RES) and the WA 3460/01 c/w 3459/2001 (S) and WP No. 26101/2001 and others were confronted admitted by him and are marked as Ex W-1 to Ex W-3.

6. Admittedly, it is a case of oral termination probably by settling the statutory dues. The oral termination w.e.f. 24.05.1998 was based on a Medical Report which certified that the workman was medically unfit. Though the medical report is not produced in evidence there is no dispute to the fact that the employees including the workman was subjected to medical examination as per the consensus arrived between the 2nd Party and the Trade Union of the 2nd Party. Similarly placed workmen Smt. K Dundamma, challenged similar Medical Certificate in WP No. 5615/2001 against the 2nd Party (Ex W-1), her Writ Petition was allowed directing the Management not to change her date of birth from the service records. The Appeal preferred by the management went in vain. Similarly placed workmen approached the Hon’ble High Court in WP 26101/2001 (S-Res) (Ex W-3). The Writ Petition was allowed with cost and the Medical Reports were quashed. Ex M-1 is the Register of Employees which shows that the workman was terminated w.e.f. 24.05.1998 due to ‘*medical unfit*’. There is no evidence as to what was the disability which made him medically unfit to work in the mine is not mentioned in Ex M-1. It also does not show that he was furnished with a copy of the medical report with intimation his right to appeal within 30 days.

7. The 1st Party contends that medical examination was an eye wash to terminate the work force since the 2nd Party had suffered financial loss; the medical examination was not conducted according to Rule 29-C of the Mines Rules 1955, by a qualified Doctor of a Rank of Assistant Civil Surgeon. Had the 1st Party continued in service he would have superannuated by 1999. Thus he has lost one year of service by his early retirement. The 1st Party contends that subsequently age of superannuation is enhanced to 60 years and he would have continued in service upto 01.07.2000. However, as on the date of his retirement the date of superannuation age was 58 years only and he has lost one year of service, he has received all the terminal benefits. It is highly probable that inspired by the judgement of the Hon’ble High Court he has raised this dispute after a period of 10 years. However, his termination not being the consequence of any disciplinary action but on very unscientific medical report is illegal and the injustice caused to him needs to be set aside by awarding lumpsum compensation,

AWARD

Reference is accepted. Termination of Sh. C S Nanjundegowda by the management of Mysore Minerals w.e.f. 24/5/1998 is not justified. The 2nd Party is directed to pay him a lumpsum compensation of Rs. 10,000.00 within a period of 60 days of the publication of the Award.

(Dictated to U D C, transcribed by him, corrected and signed by me on 10th May 2019)

JUSTICE SMT. RATHNAKALA, Presiding Officer

नई दिल्ली, 4 जून, 2019

का.आ. 962.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स केंद्रीय भंडारण नियम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय अहमदाबाद के पंचाट (संदर्भ संख्या: 69/2015) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24/05/2019 को प्राप्त हुआ था।

[सं. एल-42011/8/2015-आई. आर. (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 4th June, 2019

S.O. 962.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 69/2015) of the Central Government Industrial Tribunal/Labour Court, Ahmedabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Central Warehousing Corporation and their workmen, which was received by the Central Government on 24.05.2019.

[No. L-42011/8/2015-IR (M)]

D. K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, AHMEDABAD

Present : Pramod Kumar Chaturvedi, Presiding Officer, CGIT-cum-Labour Court,

Ahmedabad,

Dated 08th May, 2019

Reference : (CGITA) No. 69/2015

1. The Executive Engineer,

Construction Cell,

Central Warehousing Corporation,

Sector – 20, Adj. to Railway Good Yard, Vashi, Navi

Mumbai – 400703

2. The Managing Director,

Central Warehousing Corporation,

Corporate Office,

4/1, Siri Institutional Area, Augustkranti Marg,

Haus Khas, New Delhi

...First Parties

V/s.

The General Secretary,

Central Warehousing Corporation Employees Union (Gujarat),

Mahalaxmi Cross Road,

Opposite Unnati Vidhyalaya, Paldi,

Ahmedabad (Gujarat)

...Second Party

For the First Parties : Shri C.S. Naidu

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-42011/8/2015-IR(M) dated 28.10.2015 referred the dispute for adjudication to the Central Government Industrial Tribunal cum Labour Court, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demand against the Managing Director, Central Warehousing Corporation, New Delhi of the General Secretary, Central Warehousing Corporation Employees Union (Gujarat), Ahmedabad to fix and disburse of pension to Shri N.N. Deshpande is justified? If yes, then what relief Shri N.N. Deshpande is entitled to?”

1. The reference dates back to 28.10.2015 and received on 06.11.2015 from Ministry of Labour and Employment, New Delhi for adjudication and passing the award.
2. After receiving the reference from Ministry of Labour and Employment, New Delhi, notice Ex. 2 was issued to all the parties on 09.02.2017 to appear on 02.05.2017. Acknowledgment slip of notice served to the first party no. 1 was also received. But the second party workman or his union did not prefer to submit the statement of claim.
3. Thereafter, the second party was given dozens of opportunities on 30.05.2017, 29.06.2017, 31.08.2017, 02.11.2017, 03.01.2018, 28.02.2018, 25.04.2018, 06.06.2018, 04.07.2018, 29.08.2018, 17.10.2018, 05.12.2018, 23.01.2019, 06.03.2019 and today on 08.05.2019 to submit his statement of claim but he refrained to submit the statement of claim.
4. The reference relates to disbursement of pension and the second party union as said above has not been taking interest in the disposal of the reference, therefore, it appears that the second party workman or his union did not want to prosecute the case.
5. Therefore, the reference is disposed of in the absence of statement of claim of the second party workman with the observation as under: “the demand against the Managing Director, Central Warehousing Corporation, New Delhi of the General Secretary, Central Warehousing Corporation Employees Union (Gujarat), Ahmedabad to fix and disburse of pension to Shri N.N. Deshpande is unjustified.”
6. The award is passed accordingly.

P.K. CHATURVEDI, Presiding Officer

नई दिल्ली, 4 जून, 2019

का.आ. 963.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स एक्सपोर्ट क्रेडिट गारंटी कॉर्पोरेशन ऑफ इंडिया लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं०-2, चंडीगढ़ के पंचाट (संदर्भ संख्या 118/2014 & 26/2015) को प्रकाशित करती है जो केन्द्रीय सरकार को 03.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/7/2015-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 4th June, 2019

S.O. 963.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 118/2014 & 26/2015) of the Central Government Industrial Tribunal/Labour Court No. 2, Chandigarh, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Export Credit Guarantee Corporation of India Limited and their workman, which was received by the Central Government on 03.06.2019.

[No. L-17012/7/2015-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

PRESENT: Sh. A.K. Singh, Presiding Officer

ID No.118/2014

Registered on:-17.03.2015

Sh. Anil Chauhan S/o Sh. Jaipal Singh,
R/o H.No.24, Ward No.3, Balmiki Basti,
VPO Bapoli, Distt. Panipat-132103(Haryana)

... Workman

Versus

The M.D/Chairman,
M/s. Export Credit Guarantee Corporation of India Ltd.
H.O. Dalamal House, G. Floor, Jamna Lal Bajaj Marg,
Nariman Point, Mumbai-400021

... Management

And

ID No.26/2015

Registered on: 16.06.2015

Sh. Anil Chauhan
S/o Sh. Jaipal Singh,
R/o H.No.24, Ward No.3,
Balmiki Basti, VPO Bapoli,
Distt. Panipat-132103(Haryana)

... Workman

Versus

The M.D/Chairman,
M/s. Export Credit Guarantee Corporation of India Ltd.
H.O. Dalamal House, G. Floor,
Jamna Lal Bajaj Marg, Nariman Point,
Mumbai-400021

... Management

AWARD**Passed on: 27.05.2019**

Central Government vide Notification No. L-17012/7/2015-IR(M) Dated 05.06.2015, under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947(hereinafter called the Act), has referred the following Industrial dispute for adjudication to this Tribunal:—

“Whether the action of the management of M/s Export Credit Guarantee Corp. of India Ltd. in terminating the services of Sh. Anil Chauhan S/o Sh. Jaipal Singh, Sweeper w.e.f. 30.04.2014 is just and legal? If not, to what relief the workman is entitled to?”

ID No.118/2014 relates with the claim petition filed under Section 2(a) of the Industrial Disputes Act, 1947 for cancellation of the termination of the claimant regarding which reference is received from the Central Government in pursuance of the letter dated 30.12.2014 which is registered on 17.03.2015. The Tribunal by its Order dated 31.05.2016 attached/consolidate file of ID No.118/2014 with the reference file in ID No.26.2015 titled as Anil Chauhan Vs. M/s Export Credit Guarantee and ordered for further proceeding in the case bearing ID No.26/2015 accordingly and cases are decided by the common judgment.

1. After receiving the reference, an opportunity is given to both the parties for submission of their statements. The workman has filed his claim petition, stating therein that he was employed by the respondent as Peon-cum-Sweeper since 01.09.2005 and rendered his services till 29.04.2014 when respondent-management orally terminated his services assigning no reason. Management has not issued any notice, without giving him any retrenchment compensation or holding any enquiry which is against the provision of Section 25-F of the Industrial Disputes Act, 1947. The applicant has completed more than 240 days in each preceding year as required under Section 25(b) of the Industrial Disputes Act hence, was entitled to the protection under Section 25-F, 25(b) and 25-H of the Industrial Disputes Act, 1947. The management has retained in service junior candidate on permanent duty of Peon-cum-Sweeper which is in violation of Section 25-G of the Industrial Disputes Act. It is also mentioned that management has made the recruitment of fresh candidates but the applicant was not provided opportunity of appointment in preference to the new entrance which is a clear violation of Section 25(H) of the Act. It is therefore prayed that claimant/workman be ordered to be reinstated with continuity of service with full back wages as he has not been remained gainfully employed during his termination till date.

2. Management filed its written statement, stating therein that claimant/workman was working as part time Sweeper with the respondent at Panipat Branch Office. He used to do cleaning work at M/s Sterling Courier in the same building and also used to clean common passage and stairs of the building. Claimant/workman rendering his services 29.04.2014, left the respondent-management on his own and did not turn up again without informing the respondent. The management has paid all the wages of the workman till 29.04.2014 and nothing is due against the answering respondent. In fact Anil Chauhan, workman was not regularly performing his duty and sometimes his mother used to do his work in his absence after the verbal discussion of the claimant. It is also denied that being the part time Sweeper, there was no question of seeking relief permission from the respondent. Question of serving one month notice or paid wages in lieu of notice does not arise as he was not the regular employee of the management. The claim made by the workman regarding the dues, one month notice, salary, bonus, gratuity, earned leave is baseless hence, it is prayed that claim of the workman is false, frivolous and baseless and is liable to be dismissed.

3. Claimant/workman has filed its rejoinder dated 05.05.2016, reiterating the same facts alleged in the claim petition as such, it does not required to be repeated again.

4. Both the parties were given opportunity to adduce evidence. In support of his case, claimant/workman has filed its affidavit along with 36 papers and affidavit of witness Balwan Singh S/o Jeetu Ram. Learned counsel of the management did not appear to cross-examine the witness of the workman as such, opportunity of management to cross-examine the above mentioned witnesses is finally closed.

5. Management has not adduced any oral or documentary evidence in support of the facts alleged in its written statement.

6. I have heard the argument of the learned counsel of the workman in the absence of the learned counsel of the management and perused the oral and documentary evidence filed by the workman.

7. There is no dispute about preposition of law that onus to prove that claimant was in the employment of management is always on the workman/claimant and it is for the workman to adduce evidence to prove factum of his employment with the management. Such evidence may be in form of receipt of salary or wages for 240 days or record of his/her appointment or engagement for that year to show that he worked with the employer for 240 days or more in a calendar year. In this regard reference may be made to ***Batala Coop. Sugar Mills Ltd. Vs. Sowaran Singh, (2005) 8 Supreme Court Cases 481 as well as Director Fisheries Terminated Division Vs. Bhikubhai Mehgajibhai Gavda (2012) 1 SCC 47.***

8. There is hardly any dispute with the preposition of law as propounded in the aforesaid case. However, the factual scenario in the present case is bit different, inasmuch as the management in its written statement has clearly admitted the

factum of employment of the claimant/workman inasmuch as it has been stated that the workman was engaged in the office the management as a part time Sweeper and he worked upto 29.04.2014 when he left the office on his own without informing to the respondent-management as such, it clearly establishes relationship of employer and employee between the management and claimant. In this regard, reference can be made to the decision in the case of Devinder Singh Vs. Municipal Council, Sanaur, AIR 2011 Supreme Court 2532, has observed as follows:—

“The source of employment, the quantum of recruitment, the terms & conditions of employment/ contract of service, the quantum of wages/ pay and mode of payment are not at all relevant for deciding whether or not a person is a workman within the meaning of Section 2(s) of the Act. The definition of workman also does not make any distinction between full time and part time employee or a person appointed on contract basis. There is nothing in the plain language of Section 2(s) from which it can be inferred that only person employed on regular basis or a person employed for doing whole time job is a workman and the one employed on temporary, part time or contract basis on fixed wages or as a casual employee or for doing duty for fixed hours is not a workman.”

It is clear from the perusal of the aforesaid observations that even if a person is engaged on temporary, part time or contract basis or for doing any other kind of work and is duly paid wages for the said work, in that eventuality such a person would be covered by the definition of “workman” as provided in Section 2(S) of the Act. In these circumstances, it stands proved that there existed relationship of employer-employee between the parties.

9. Equally settled is the position of law that when relationship of employer and employee stands proved between the parties, then onus will shift upon the employer/management to show that the claimant/workman has not worked for 240 days or more in a calendar year or the services of the claimant/workman was terminated in accordance with the provisions of the Act. It is a specific case of the workman that he was engaged as a full time Sweeper on 01.09.2005 and he worked as such till 29.04.2014 when his services were orally terminated. Thus, he in fact had completed more than 240 days of service in each calendar year as is stated by the workman himself through his affidavit and the witness Balwan by his affidavit which is unrebutted and uncontroverted by virtue of non-cross examination of these witnesses by the management-counsel.

10. Management has stated in his written statement that workman was part time Sweeper with the respondent at Panipat Branch Office and was being paid from time to time as part time/daily wage Sweeper. Learned counsel of the workman has drawn my attention towards the information received through Right to Information Act, 2005, vide paper no.36 in which it is specifically mentioned that there was no post of part time Sweeper in the corporation. Thus, by virtue of information given by the respondent under RTI Act, 2005, the facts alleged in the written statement about the workman being part time Sweeper is negated by his own documents. Workman has stated in his affidavit that he was drawing salary at the rate of 6,000/- per month and rendered his services for a period of 8 years 7 months in spite of that, his services were illegally terminated by the management. It is unfortunate that management has not taken part in the complete proceeding of the case but it has been mentioned in the written statement that workman has voluntarily left the job as such, he was not terminated by the management. This fact is contradicted by the workman through his affidavit and affidavit of witness Balwan alleging therein that his services are terminated by the management without giving any notice or wages in lieu of one month notice. The Hon'ble Supreme Court in the case of Nicks(India) Tools Vs. Ram Sunder etc. 2004(8) SCC page 222 has held that where the management takes a plea that workman abandoned the job at his/her own then onus of the matter is upon the management. There is nothing on record to prove that workman has left the job of Sweeper on 29.04.2014 at his own will. The contention of the learned counsel of the workman also fortifies the fact that if workman has left his job on his own even then there is nothing on record to show that management has made any correspondent with the workman for reason of leaving the job. To my mind, contention of the learned counsel of the claimant/workman is in tune of the legal proposition and fortifies the fact that it was the management who terminated the services of the workman without any cogent grounds.

11. Now the vital question arises for consideration is whether the termination of the claimant by the management w.e.f. 29.04.2014 is in accordance with the law or in violation of the provisions of Section 25-F of the Act. According to the testimony of the workman/claimant, the work of Sweeper on which he was working was of perennial nature and his services were terminated by the violation in Section 25-F, 25-G and 25-H of the Industrial Disputes Act, 1947. Undoubtedly, after termination, workman has also approached to the conciliation officer through demand notice but conciliation proceeding is also failed. It is neither the case of the management that any notice or compensation in lieu of notice was given to the claimant prior to the termination of his services w.e.f. 29.04.2014 nor any such evidence is produced by the management. It is reiterated that the management has not examined any witness to rebut the case of the claimant. In these circumstances, this Tribunal has no hesitation to hold that the services of the workman was terminated by the management w.e.f. 29.04.2014 in violation of Section 25-F of the Act.

12. There is long line of decisions of Hon'ble Apex Court as well as of various High Courts that provisions of Section 25-F of the Act are mandatory in nature and termination of the workman from services in derogation of the provisions of Section 25-F of the Act will render action of the management to be illegal and void under the law. Since there is no evidence on record that any valid notice was issued by the management to the workman at the time of termination or in

lieu of such notice, any compensation was paid to him as such, action of the management in terminating the services of the workman is held to be illegal and void.

13. So far as breach of Section 25(F) and 25(G) is concerned workman has not mentioned the name of the person who was engaged through fresh recruitment by the management after his termination. Similarly, he has not mentioned the name of person who was retained in the job even was junior to him. Thus, there is bald statement of the workman regarding the breach of Section 25(F) and 25(G) of the Act without any cogent evidence. As such, there is no evidence to prove that management has violated the section 25(F) and 25(G) of the Act.

14. Now the residual question is whether the claimant/workman is entitled to any incidental relief of payment of back wages and/or reinstatement of service with full back wages. It is proved on record that claimant was continuously in the employment of the management from 01.09.2005 to 29.04.2014 though on daily wage basis. Admittedly, claimant was not holding the regular post against a regular vacancy. There are number of factors which are to be considered while considering the question of reinstatement with back wages. Since claimant was a casual worker and duration of his engagement is also not very long, as such it would be difficult to given the relief or reinstatement to the claimant. It has been held in the case of **Hari Nandan Prasad vs. Food Corporation of India (2014) 7 Supreme Court cases 190** as under:—

“Relief by way of reinstatement with back wages is not automatic and may be wholly inappropriate in a given fact situation even though the termination of an employee is in contravention of the prescribed procedure. Compensation instead of reinstatement has been held to meet the ends of justice. An order of retrenchment passed in violation of Section 25-F although may be set aside but an award of reinstatement should not, however, automatically passed. The award of reinstatement with full back wages in a case where the workman has completed 240 days of work in a year preceding the date of termination, particularly daily wages has not been found to be proper by the Supreme Court and instead compensation has been awarded. The Supreme Court has distinguished between a daily wager who does not hold a post and a permanent employee. The reasons for denying the relief of reinstatement in such cases are obvious. It is trite law that when the termination is found to be illegal, because of non-payment of retrenchment compensation and notice pay as mandatorily required under Section 25-F of the Industrial Disputes act, even after reinstatement, it is always open to the management to terminate the services of that employee by paying him the retrenchment compensation.”

15. In the recent decision reported as **2018 LLR 225 titled as District Development Officer & another vs. Satish Katilal Amrelia**, Hon'ble Apex Court while aptly applying the law laid down in earlier case of **Bharat Sanchar Nigam Limited Vs. Bhurumal (2014) 7 SCC 177**, had awarded lumpsum compensation of Rs.2.5 lakhs to the workman and in Bharat Sanchar Nigam Limited (supra), it was observed as under:-

“33. It is clear from the reading of the aforesaid judgements that the ordinary principle of grant of reinstatement with full back wages when the termination is found to be illegal is not applied mechanically in all cases. While that may be a position where services of a regular/permanent workman are terminated illegally and/or mala fide and/or by way of victimisation, unfair labour wages is not automatic and instead the workman should be given monetary compensation which will meet the ends of justice. Rationale for shifting in this direction is obvious.

34. The reasons for denying the relief of reinstatement in such cases are obvious. It is trite law that when the termination is found to be illegal because of non-payment of retrenchment compensation and notice pay as mandatory required under Section 25-F of the Industrial Disputes Act, even after reinstatement, it is always open to the management to terminate the services of that employee by paying him the retrenchment compensation. Since such a workman was working on daily wage basis and even after he is reinstated, he has no right to seek regularisation (see State of Karnataka Vs. Umadevi (3) 17). Thus, when he cannot claim for regularisation and he has no right to continue even as a daily wage worker, no useful purpose is going to be served in reinstating such a workman and he can be given monetary compensation by the Court itself inasmuch as if he is terminated again after reinstatement, he would receive monetary compensation only in the form of retrenchment compensation and notice pay, in such a situation, giving the relief of reinstatement that too after a long gap, would not serve any purpose.

35. We would, however, like to add a caveat here. There may be cases where termination of a daily wage worker is found to be illegal on the ground that it was resorted to as unfair labour practice or in violation of principle of last come first go, vis. While retrenching such a worker daily wage juniors to him were retained. There may also be a situation that persons junior to him were regularised under some policy but the workman concerned terminated, in such circumstances, the terminated worker should not be denied reinstatement unless there are some other weighty reasons for adopting the course of grant of compensation instead of reinstatement in such cases, reinstatement should be the rule and only in exceptional cases for the reasons stated to be in writing, such relief can be denied.”

16. Having regard to the recent judicial trends and duration of service rendered by the claimant, an amount of Rs.4.50 lakh appears to be just and reasonable.

17. As a result, it is held that the action of the management in terminating the services of claimant Shri Anil Chauhan is illegal and unjustified under the law. The claimant is held entitled for compensation of Rs.4.50 lakh payable by the management with 6% interest from the date of the publication of the Award. This award is accordingly passed.

18. The reference is answered accordingly. Let copy of the award be sent to the Central Government for publication as required under Section 17 of the Act.

A.K. SINGH, Presiding Officer

नई दिल्ली, 4 जून, 2019

का.आ. 964.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स रिलायंस जनरल इश्योरेंस कंपनी लिमिटेड एवं अन्य के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय नं०-2, दिल्ली के पंचाट (संदर्भ संख्या 124/2013) को प्रकाशित करती है जो केन्द्रीय सरकार को 20.05.2019 को प्राप्त हुआ था।

[सं. जेड-16025/4/2019-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 4th June, 2019

S.O. 964.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 124/2013) of the Central Government Industrial Tribunal/Labour Court No. 2, Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Reliance General Insurance Co. Ltd. and other and their workman, which was received by the Central Government on 20.05.2019.

[No. Z-16025/4/2019-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI

PRESENT: Smt. Pranita Mohanty, Presiding Officer,
C.G.I.T.-Cum-Labour Court-II,
New Delhi.

INDUSTRIAL DISPUTE CASE NO. 124/2013

Date of Passing Award- 29th April, 2019.

Between:

Shri Ashok Kumar,
S/o Sh. Laxmi Ram,
All India General Mazdoor Trade Union, Regd.- Aitak,
Address-170, Bal Mukund Khand, Giri Nagar,
Kalakaji, New Delhi-19.
Add. Of workman-M/n No. I 46/6, Harkesh Nagar,
Kalkaji, New Delhi-20.

... Workman

Versus

1. M/s Reliance General Insurance Co. Ltd.,
Add. 60 Okhla Infront State Bank of India,
Okhla Phase-3, New Delhi-20

2. Contract M/s World Class Services,
Add. 2 Floor-237, Indraprastha Tower,
6 MG Road, Indore-452001.

...Managements

APPEARANCES:

Shri Anil Rajput, (Advocate) For the Workman
Shri S.B.S. Chauhan, (Advocate) For the Management

AWARD

This is an application filed by the workman u/s 2 A of the ID Act praying the relief in the nature of a direction to the management for his reinstatement to the service with full back wages and other service benefits.

Being noticed management No.1 appeared and filed their written statement. Management No.2 though made his appearance did not file written statement despite several opportunities given. Thus, by order dated 15.10.14 the right of the respondent No.2 to file written statement was closed and issues were framed on 11.11.2014.

Claim of the workman bereft of unnecessary detail is that in June 2009 he started working for management No.1 General Insurance Company through the contractor management No.2 as a sweeper and continued to work till his service was illegally terminated by the management on 01.06.2012. His last drawn salary per month was 7020/-. When the management terminated his service his duty pay for the month of May 2012 was withheld. Not only that no termination notice, notice pay, or retrenchment compensation, was paid to him in gross violation of the provisions of section 25-F of the ID Act. The workman through its Union made a claim and issued a demand notice to the management. But no action was taken. Finding no other way he made a written complaint to the Assistant Labour Commissioner. Despite the intervention of the commissioner no redress to the grievance of the workman could be achieved. Hence, by filing the present claim application invoking the jurisdiction of this tribunal u/s 2A of the ID Act he has prayed for the relief as stated above.

Management No.1 filed its written statement disputing the claim and stand taken by the workman. The specific stand of the workman is that the later was never an employee of management No.1 and there exists no employer employee relationship between them. As per his own admission the workman was engaged to work by a contractor i.e. Management No.2 and working under his control and supervision. Thereby the management No.1 has denied its liability for the claim advanced by the workman.

On the rival pleading the following issues were framed for adjudication.

ISSUES

1. Whether claim of workman is maintainable? If so its effect?
2. Whether relation of employer and employee exist between respondent No.1 and workman? If so its effect?
3. Whether termination of services of workman on 01.06.2012 is just, proper and legal? If so its effect?
4. Whether workman is entitled for relief as claimed by him in his claim statement dated 27.07.2012?

During course of hearing the workman testified as WW1 and filed certain documents which were marked in a series of WW1/1 to WW1/5. These documents include the copy of his letter containing grievance and demand made to the Assistant Labour Commissioner through the Union the contract termination letter and ID card issued by the management No. 2, the Salary Slip issued by the management No.2 etc. The witness was cross-examined at length by the management No.1. On behalf of management No.1 one witness Associate Administration Manager was examined as MW1. He proved the documents marked as MW1 to MW1/1. These documents include the termination letter issued to the workman, the apology letter tendered by the workman to management No.2 and the written reply submitted by management No.2 before the Assistant Labour Commissioner when the demand was raised. This witness was also cross-examined by the workman.

FINDINGS

ISSUE No. 1 and 2

While filing written statement the management No.1 raised dispute regarding the maintainability of the proceeding against the management No.1 by taking a plea that there exists no relationship as employer and employee between them. During the examination the workman as well as the management has relied upon the termination letter dated 18th May, 2012 issued by the management No.2 to the workman. In his pleading the workman has categorically stated that in the month of May 2009 he was inducted to the work of management No.1 through the contractor management No.2. This pleading of the workman finds support from the documents filed by him. These documents include the salary slip, Id card, etc issued by the management No.2. The witness examined on behalf of the Management No.1 also produced one document in the nature of an apology letter submitted by the workman to management No.2. Not only that in the complaint made before the Assistant Labour Commissioner the workman has categorically stated that his service was termination by the management No.2 i.e. World Class Service the contractor providing manpower to different establishments. Thus, from the oral and documentary evidence adduced by the witness it is proved that the claim of the workman against the management No.1 is not maintainable, though the same is held maintainable against management No.2. With regard to the relationship between the management no.1 and the workman, the document and oral evidence leads to the irresistible conclusion that there exist no employer and employee relationship between the workman and management No.1. These 2 issues are accordingly answered.

Issue No. 3 and 4

These two issues being interdependent have been taken up for consideration together. The workman in his pleading as well as in the oral statement has alleged about the violation of the mandatory provision laid u/s 25-F of the ID Act. Under this provision conditions precedent to retrenchment of workman has been laid down. Under the provision no workman employed in an industry who has been in continuous service for not less than one year under an employer shall be retrenched by the employer until the workman has been given one month notice in writing indicating the reason of retrenchment or the workman is paid one month salary in lieu of the notice and the workman is paid retrenchment compensation which shall be equivalent to 15 days average pay or any part thereof in excess of 6 months.

The workman of this proceeding has all along pleaded that without giving any notice or notice pay, his service was brought to an end by the management No.2. As indicated above the management No.2 did not file a written statement in this proceeding to rebut the stand of the workman. On the contrary the workman in his oral testimony has deposed in the line of the pleading made in the claim statement. From oral evidence of the workman supported by the order of termination and the pay slip for the month of January 2011 it is clear that the workman was neither given notice nor notice pay before termination. He was not even paid retrenchment compensation.

For consideration of the prayer for reinstatement with back wages as made by the workman it is incumbent upon him to prove that he had worked for 240 days in the preceding year of the retrenchment and there is a vacancy for the post he was working. But in this proceeding the workman has neither taken the plea that he had worked for 240 days or more for the management in the preceding year. In the case of **Delhi Cantonment Board vs. CGIT and others reported in 129 (2006) DLT 610** the Hon'ble High Court of Delhi have held that "there is not distinction between permanent employee and a temporary employee. Termination of service without complying the provisions of section 25-F is illegal. As long as a person is employed to do any skilled, unskilled operational or clerical work for hire or reward he is a workman under the ID Act and will get the benefit of that act. In the said judgment it has further been held that if it is proved that he had put in 240days of service in the year prior to the date of termination, he is entitled to reinstatement for non compliance of provision of 25-F of the Act. But here is a case where there is no evidenc regarding the tenure of work for 240 days or more.

Furthermore the Hon'ble Supreme Court in the case of **Director Fisheries Terminal Division vs. Bhikubhai Meghaji Bhai Chavda reported in (2010) ILLJ 3 SC** have held that non compliance of the provision of section 25-F of the ID act entitles the workman to back wages and reinstatement provided it is proved that he had put to work for 240 days in a calendar year preceding to his termination.

In this case there being no evidence regarding 240 days of work put by the workman, it is held that he is not entitled to the relief of the reinstatement with back wages. However he is entitled to mandatory benefits of section 25-F of the ID Act and the management No.2 is liable to pay him one month salary as notice pay and retrenchment compensation as per law. This issue is accordingly answered in favour of the workman.

ORDER

The reference be and the same is allowed in part. The workman is held entitled to one month salary in lieu of notice u/s 25-F and retrenchment compensation as per law to be paid by the management No.2. The management No.2 world Class service the contractor is directed to make the payment to the workman within 3 months from the date when the award

would become executable together with interest @ 12% from the date when it was legally due to the workman and till the final payment is made, failing which the amount so accrued shall carry interest @ 18% from the date when it falls due, till the payment is made. Copy be supplied to the parties and the record be consigned in the record room.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 4 जून, 2019

का.आ. 965.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स बिड़ला सीमेंट कॉर्पोरेशन लिमिटेडके प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 37/2012) को प्रकाशित करती है जो केन्द्रीय सरकार को 04.06.2019 को प्राप्त हुआ था।

[सं. एल-29012/11/2011-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 4th June, 2019

S.O. 965.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 37/2012) of the Central Government Industrial Tribunal/Labour Court, Lucknow now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Birla Cement Corporation Limited and their workman, which was received by the Central Government on 04.06.2019.

[No. L-29012/11/2011-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM-LABOUR COURT, LUCKNOW

PRESENT: RAKESH KUMAR, Presiding Officer

I.D. No. 37/2012

Ref. No. L-29012/11/2011-IR(M) dated: 14.02.2012

BETWEEN:

Shri Satish Tiwari, S/o Sri J.P Tiwari

C/o Krishan Gopal, Lohia Pawan Trunk Centre

Kaperganj, Rai Bareli.

AND

1. The General Manager
Birla Cement Corporation Limited
Cement Division, Amava Road, Janpad, Rai Bareli
2. The Manager, HR Connector
Birla Corporation Limited
Cement Division, Amava Road, Janpad, Rai Bareli
3. The Side In-charge, HT Contractor, Birla Corporation Ltd.
Cement Division, Amava Road, Janpad, Rai Bareli

AWARD

1. By order No. L-29012/11/2011-IR(M) dated: 14.02.2012 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub section (1) and sub section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute Shri Satish Tiwari, S/o J.P Tiwari, C/o Krishan Gopal, Lohia Pawan Trunk Centre, Kaperganj, Rai Bareli and the General Manager, Birla Cement Corporation Limited, Cement Division, Amava Road, Janpad, Rai Bareli & the Manager, HR Connector, Birla Corporation Limited, Cement Division, Amava Road, Janpad, Rai Bareli & the Side In-charge, HT Contractor, Amava Road, Janpad, Rai Bareli for adjudication to this CGIT-cum-Labour Court, Lucknow.

2. The reference under adjudication is:

“WHETHER THE WORKMEN OF THE MANAGEMENT OF BIRLA CORPORATION LIMITED RAI BARELI IN TERMINATING THE SERVICES OF SHRI SATISH TIWARI, DRIVER W.E.F. 21/10/2008 IS LEGAL AND JUSTIFIED? WHAT RELIEF THE WORKMAN IS ENTITLED TO?”

3. The case of the workman, Satish Tiwari, in brief is that he was engaged on the post of driver with the opposite party w.e.f. 21.07.2003 and worked as such continuously upto 21.10.2008, when his services have been terminated illegally, without any notice or notice pay in lieu thereof, in violation of the provisions of Section 25 F of the Act. Accordingly, he had prayed for reinstatement with consequential benefits.

4. The management of opposite parties have disputed the claim of the workman and has submitted that he had been engaged through contractor and he was never appointed at any point of time by the opposite party No. 1 & 2, and his services have never been terminated by the management of OP No. 1 & 2. On the contrary the OP No. 3 & 4 submitted that the workman had been engaged by the management of OP No. 1 & 2 directly. The opposite parties have prayed that the workman's claim be rejected being devoid of any merit.

5. The workman has filed its rejoinder reiterating averments already made in the statement of claim and parties filed documentary evidence in support of their respective case and the case was fixed for filing of workman's evidence on affidavit, when the parties turned up and filed a settlement, W-24; whereby the workman agreed to withdraw the case on payment of compensation for Rs. 2,50,000/- (Rs. 30,000/- in cash and Rs. 2,20,000/- through DD) in lieu of gratuity, retrenchment compensation and one month's notice pay. The workman stated that he had been paid Rs. 30,000/- in cash and a DD No. 516029 dated 12.03.2019 for Rs. 2,20,000/- had been given to the workman before this Tribunal. The workman prayed to withdraw the case accordingly.

6. Therefore, in view of the settlement between the parties and prayer for withdrawal of the case, it appears there remains nothing to adjudicate upon in the case as no grievance is left with the workman. Resultantly no relief is required to be given to the workman concerned. The reference under adjudication is answered accordingly.

7. Award as above.

RAKESH KUMAR, Presiding Officer

नई दिल्ली, 6 जून, 2019

का.आ. 966.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 92/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/12/2014-आईआर (एम)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 966.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 92/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/12/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT
HYDERABAD

PRESENT: Sri Muralidhar Pradhan, Presiding Officer

Dated the 1st day of May, 2019

INDUSTRIAL DISPUTE No. 92/2014

BETWEEN:

Sri N. Nani Babu
 S/o Chantabbai,
 H.No.: 10-35,
 Sidharatha Nagar, Gopalapuram(P.O.),
 Ravulapalem (M), E.G. Dist..

... Petitioner

AND

1. The Branch Manager,
 LIC of India, Ravulapalem Branch,
 Ravulapalem, East Godavari Distt.
2. The Sr. Divisional Manager,
 LIC of India, Divisional Office,
 Jeevan Godavari, Morampudi,
 Rajahmundry

... Respondents

APPEARANCES:

For the Petitioner : None

For the Respondent : Sri K. Ramalingeswara Sarma, Advocate

AWARD

The Government of India, Ministry of Labour by its order No. L- 17012/12/2014-IR(M) dated 12.5.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri N.Nani Babu, Ex-Temp. Class-IV LIC of India, Ravulapalem Branch w.e.f. 28.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 92/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.
3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 1st day of May, 2019.

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the
 Petitioner
 NIL

Witnesses examined for the
 Respondent
 NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 967.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 99/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/19/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 967.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 99/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/19/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD**PRESENT: **Sri Muralidhar Pradhan**, Presiding OfficerDated the 24th day of April, 2019**INDUSTRIAL DISPUTE No. 99/2014****BETWEEN:**

Sri N. Prem Kumar,
S/o Late Ganganna,
H.No.3-109, Babanagar,
Ethakota Post, Ravulapalem (M),
E.G. District – 533 238.

... Petitioner

AND

1. The Branch Manager,
LIC of India,
Ravulapalem branch,
Ravulapalem, E.G. District.
2. The Sr. Divisional Manager,
LIC of India,
Divisional Office,
Jeevan Godavari, Morampudi, Rajahmundry.

... Respondents

APPEARANCES:

For the Petitioner : Sri V.V. Rama Krishna, Advocate
 For the Respondent : Sri K. Rama Lingeswara Sarma, Advocate

AWARD

The Government of India, Ministry of Labour by its Order No. L- 17012/19/2014-IR(M) dated 16.5.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri N. Prem Kumar, Ex-Temp. Class.IV, LIC of India, Ravulapalem Branch w.e.f. 28.1.2013 is legal and justified? If not, what relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 99/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.

3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 24th day of April, 2019.

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 968.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 119/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/40/2014-आईआर (एम)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 968.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 119/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/40/2014-IR(M)]
D.K. HIMANSHU, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD

Present: Sri Muralidhar Pradhan, Presiding Officer

Dated the 23rd day of April, 2019

INDUSTRIAL DISPUTE No. 119/2014

Between:

Sri M.G. Krishna Mohan,
S/o Late M.A.V. Rangacharyu,
D.No.240331, Employees Colony,
Nuzvidu, Krishna District.

...Petitioner

AND

1. The Sr. Divisional Manager,
LIC of India, Divisional Office,
Kennedy Road, Machilipatnam.
2. The Branch Manager,
LIC of India,
Gudivada,
Krishna District.

...Respondents

Appearances:

For the Petitioner : Party in person

For the Respondent : Sri B.S.R.Murthy, Advocate

AWARD

The Government of India, Ministry of Labour by its Order No. L- 17012/40/2014-IR(M) dated 8.7.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri M.G. Krishna Mohan, Ex.Temp.Class-IV LIC of India, Nuzvidu Branch w.e.f. 23.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 119/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.

3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a 'No dispute' award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 23rd day of April, 2019.

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

NIL

Witnesses examined for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 969.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स भारतीय जीवन बीमा निगम के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 89/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/5/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 969.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 89/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/5/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

Present: Sri Muralidhar Pradhan, Presiding Officer

Dated the 1st day of May, 2019

INDUSTRIAL DISPUTE No. 89/2014

Between:

Sri K. Manoj Kumar,

H.No.1-6-48, Ambedkar Colony,

Metpally (M),

Karimnagar Distt.

Karimnagar (A.P.)-505325

...Petitioner

AND

1. The Zonal Manager,
LIC of India, Zonal Office,
Opp. Secretariat, Saifabad,
Hyderabad – 500 004.
2. The Sr. Divl. Manager,
LIC of India, Divl. Office,
Karimnagar, Karimnagar(A.P.)-505001
3. The Branch Manager,
LIC of India, Metpally Branch, Metpally.
Karimnagar Dist. (A.P.) -505325

...Respondents

Appearances:

For the Petitioner : None

For the Respondent : Sri K. Ramalingeswra Sarma, Advocate

AWARD

The Government of India, Ministry of Labour by its Order No. L- 17012/5/2014-IR(M) dated 12.5.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the action of the Management of the Life Insurance Corporation of India, zonal Office, Hyderabad / Divisional Office, Karimnagar and Branch Office, Metpally, Karimnagar Dist., in terminating the services after crossing 240 days continuous service of Sri K. Manoj Kumar, Ex-Temp. Substaff of LIC of India, Metpally Br., w.e.f. 1.2.2013 is justified or not? If not, to what relief the applicant is entitled for?”

The reference is numbered in this Tribunal as I.D. No. 89/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.
3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 1st day of May, 2019.

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 970.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स भारतीय जीवन बीमा निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 120/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/41/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 970.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 120/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/41/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD****Present:** Sri Muralidhar Pradhan, Presiding Officer

Dated the 1st day of May, 2019

INDUSTRIAL DISPUTE No. 120/2014**Between:**

Sri I. Ravi Kumar,

S/o I. Venkateswara Rao,

H.No.20B-6-107/1, Ganugutapeta,

Kankanatavari Street,

42nd Div., Eluru -2.

West Godavari Dist.

...Petitioner

AND

1. The Sr. Divisional Manager,
LIC of India, Divisional Office,
Jeevan Godavari, Morampudi,
Rajahmundry.

2. The Branch Manager,
LIC of India, Eluru Branch,
Eluru, West Godavari Distt.

...Respondents

Appearances:

For the Petitioner : None

For the Respondent : Representative

AWARD

The Government of India, Ministry of Labour by its Order No. L-17012/41/2014-IR(M) dated 7.7.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri I. Ravi Kumar, Ex-Temp. Class-IV LIC of India, Eluru-II Branch w.e.f. 28.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 120/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.
3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 1st day of May, 2019.

MURALIDHAR PRADHAN, Presiding officer

Appendix of evidence

Witnesses examined for the Petitioner
NIL

Witnesses examined for the Respondent
NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 971.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 161/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/107/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 971.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 161/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/107/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

**ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

Present: Sri Muralidhar Pradhan, Presiding Officer

Dated the 24th day of April, 2019

INDUSTRIAL DISPUTE No. 161/2014

Between:

Sri Kanchipati Prakash,
D.No.18-73-56, LIG-251,
APHB Colony, Pedagantyada (P.O.)
Visakhapatnam – 530 044.

...Petitioner

AND

The Manager (E & OS),
Life Insurance Corporation of India,
Divisional office, PB No.411,
Jeevan Bima Road, Jeevan Prakash,
Visakhapatnam – 53 00 44.

...Respondent

Appearances:

For the Petitioner : Sri Nukala Venkateswra Rao, Advocate

For the Respondent : Representative

AWARD

The Government of India, Ministry of Labour by its order No. L- 17012/107/2014-IR(M) dated 8.8.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the action of the management of Life Insurance Corporation of India, Divisional Office, Visakhapatnam in terminating the services of Sri K. Prakash, Ex-Temp. Substaff, w.e.f. 24.1.2013 is legal and justified? If not, to what relief the workman concerned is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 99/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.

3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondent. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 24th day of April, 2019.

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 972.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 166/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/53/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 972.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 166/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/53/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

**ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD**

Present: Sri Muralidhar Pradhan, Presiding Officer

Dated the 24th day of April, 2019

INDUSTRIAL DISPUTE No. 166/2014

Between:

Sri S. Subramanyam,
S/o Dasu,
D.No.74-14-8, Sri Chaitanya Techno
School Back Side, Sanjay Gandhi Nagar,
Vijayawada-520 007.

...Petitioner

AND

1. The Sr. Divisional Manager,
LIC of India, Divisional Office,
Kennedy Road, Machilipatnam.
2. The Branch Manager,
LIC of India, Vijayawada City Branch-1,
Vijayawada.

...Respondents

Appearances:

For the Petitioner : None

For the Respondent : Representative

AWARD

The Government of India, Ministry of Labour by its order No. L-17012/53/2014-IR(M) dated 5.8.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri S. Subramanyam, Ex.Temp.Class-IV LIC of India, Vijayawada CB-1 Branch w.e.f. 22.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 166/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.

3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 24th day of April, 2019.

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 973.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 168/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/55/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 973.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 168/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/55/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD****Present:** Sri Muralidhar Pradhan, Presiding Officer

Dated the 24th day of April, 2019

INDUSTRIAL DISPUTE No. 168/2014**Between:**

Sri V. Venugopal,
S/o V. Rambabu,
D.No.1210-1, Yanamalkudhuru,
Donka Road, Siddarthnagar,
2nd Lane, Vijayawada-520 007.

... Petitioner

AND

1. The Sr. Divisional Manager,
LIC of India, Divisional Office,
Kennedy Road, Machilipatnam.
2. The Branch Manager,
LIC of India, Vijayawada City Branch-1,
Vijayawada.

...Respondents

Appearances:

For the Petitioner : None

For the Respondent : Representative

AWARD

The Government of India, Ministry of Labour by its order No. L-17012/55/2014-IR(M) dated 4.8.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri V. Venugopal, Ex-Temp.Class-IV LIC of India, Vijayawada CB-1 Branch w.e.f. 22.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 168/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.
3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 24th day of April, 2019.

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 974.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 169/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/56/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 974.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 169/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/56/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present: Sri Muralidhar Pradhan, Presiding Officer

Dated the 23rd day of April, 2019

INDUSTRIAL DISPUTE No. 169/2014

Between:

Sri N.J.A. Kiran,
C/o M.P. Sudhakar,
D.No.34-3-6, Library Street,
Kasturbaipeta, Vijayawada-520 010.

...Petitioner

AND

1. The Sr. Divisional Manager,
LIC of India, Divisional Office,
Kennedy Road, Machilipatnam.
2. The Branch Manager,
LIC of India, Vijayawada City Branch-1,
Vijayawada.

... Respondents

Appearances:

For the Petitioner : None

For the Respondent : Representative

AWARD

The Government of India, Ministry of Labour by its order No. L- 17012/56/2014-IR(M) dated 4.8.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri N.J.A. Kiran, Ex-Temp.Class-IV LIC of India, Vijayawada CB-1 Branch w.e.f. 28.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 169/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.
3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 23rd day of April, 2019

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 975.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 170/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/57/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 975.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 170/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/57/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present: Sri Muralidhar Pradhan, Presiding Officer

Dated the 23rd day of April, 2019

INDUSTRIAL DISPUTE No. 170/2014

Between:

Sri D. Sivaramakrishna,
S/o D. Koteswara Rao,
D.No.14-11/2, Near Post Office Bazar,
Inur (P.O), Amarthuluru (M)
Guntur Dist.

...Petitioner

AND

1. The Sr. Divisional Manager,
LIC of India, Divisional Office,
Kennedy Road, Machilipatnam.
2. The Branch Manager,
LIC of India, Tenali Branch,
Tenali, Guntur Distt.

...Respondents

Appearances:

For the Petitioner : None

For the Respondent : Representative

AWARD

The Government of India, Ministry of Labour by its order No. L-17012/57/2014-IR(M) dated 4.8.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri D. Sivaramakrishna, Ex-Temp. Class-IV LIC of India, Tenali Branch w.e.f. 24.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 170/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.

3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a 'No dispute' award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 23rd day of April, 2019

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 976.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 175/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/51/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 976.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 175/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/51/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT
HYDERABAD

Present: Sri Muralidhar Pradhan, Presiding Officer

Dated the 23rd day of April, 2019

INDUSTRIAL DISPUTE No. 175/2014

Between:

Sri P. Krishna
S/o China Venkataswamy,
Ambedkar Colony,
Sompalli,
E.G. District – 533 242.

...Petitioner

AND

1. The Sr. Divisional Manager,
LIC of India, Divisional Office,
Jeevan Godavari, Morampudi,
Rajahmundry.
2. The Branch Manager,
LIC of India, Razole Branch,
Razole, E.G.Distt.

...Respondents

Appearances:

For the Petitioner : Party in person

For the Respondent : Representative

AWARD

The Government of India, Ministry of Labour by its order No. L- 17012/51/2014-IR(M) dated 5.8.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri P. Krishna, Ex-Temp. Class-IV LIC of India, Razole Branch w.e.f. 28.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 175/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.
3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 23rd day of April, 2019

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

NIL

Witnesses examined for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 6 जून, 2019

का.आ. 977.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स भारतीय जीवन बीमा निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या 176/2014) को प्रकाशित करती है जो केन्द्रीय सरकार को 06.06.2019 को प्राप्त हुआ था।

[सं. एल-17012/52/2014-आईआर (एम)]

डी०के० हिमांशु, अवर सचिव

New Delhi, the 6th June, 2019

S.O. 977.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 176/2014) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Life Insurance Corporation of India and their workman, which was received by the Central Government on 06.06.2019.

[No. L-17012/52/2014-IR(M)]

D.K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD****Present:** Sri Muralidhar Pradhan, Presiding Officer

Dated the 23rd day of April, 2019

INDUSTRIAL DISPUTE No. 176/2014**Between:**

Sri M. Kiran Kumar,
S/o Appa Rao,
Beside Andhra Bank Street,
Gandhinagar,
Razole
E.G. District – 533 242.

...Petitioner

AND

1. The Sr. Divisional Manager,
LIC of India, Divisional Office,
Jeevan Godavari, Morampudi,
Rajahmundry.

2. The Branch Manager,
LIC of India, Razole Branch,
Razole, E.G.Distt.

...Respondents

Appearances:

For the Petitioner : None

For the Respondent : Representative

AWARD

The Government of India, Ministry of Labour by its order No. L- 17012/52/2014-IR(M) dated 1.8.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

SCHEDULE

“Whether the removal from service of Sri m. Kiran Kumar, Ex-Temp. Class-IV LIC of India, Razole Branch w.e.f. 28.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 176/2014 and notices were issued to the parties concerned.

2. The case stands posted for filing of claim statement and documents by the Petitioner.

3. In spite of repeated calls, the Petitioner did not turn up. Several opportunities have been given to the Petitioner Workman to attend the court to prosecute his case. But the Petitioner workman failed to attend this Tribunal which clearly indicates that perhaps the dispute of the Petitioner workman has already been settled and the Petitioner has nothing to raise any claim against the Respondents. Hence, the case of the Petitioner workman is closed and a ‘No dispute’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 23rd day of April, 2019

MURALIDHAR PRADHAN, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

Witnesses examined for the Respondent

NIL

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL